

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Agenda

**August 19, 2019**

**7:00 PM**

### **City Council**

*Bruce Jarvis – President  
Mike Walker – Vice President  
Jill Amos  
Will Bennett  
Bob Clark  
Mike Coolman  
Patrick Lynch*

- A. Call To Order
- B. Pledge of Allegiance - Clark
- C. Roll Call
- D. Approval of Minutes

[MIN-19-035](#) 8-5-19 Work Session Minutes ([Work Session Minutes](#))  
[MIN-19-036](#) 8-5-19 Public Hearing Minutes ([Public Hearing Minutes](#))  
[MIN-19-037](#) 8-5-19 City Council Meeting Minutes ([Council Minutes](#))

E. Communications & Petitions

[19-080](#) Franklin County Board of Elections  
[19-079](#) Childhood Cancer Awareness Month ([Proclamation](#))  
[19-081](#) Violet Township Open House ([Letter](#))

F. Public Comments - Five Minute Limit Per Person

G. RESOLUTIONS

[RES-19-017](#) A Resolution Approving The Recommendations Of The Tax Incentive  
*Development* Review Council For The Franklin County Tax Abatement Areas Within The  
City Of Canal Winchester ([Resolution, Exhibit](#))  
- Adoption

[RES-19-018](#) A Resolution Approving The Recommendations Of The Tax Incentive  
*Development* Review Council For The Fairfield County Tax Abatement Areas Within The  
City Of Canal Winchester ([Resolution, Exhibit](#))  
- Adoption

[RES-19-019](#) A Resolution Appointing Audra Diorio As Clerk Of Council For The City Of  
*Council* Canal Winchester ([Resolution](#))  
- Adoption

H. ORDINANCES

*Third Reading - NONE*

*Second Reading*

[ORD-19-045](#) An Ordinance To Authorize The Mayor To Provide Consent To The Director  
*Public Service* Of The Ohio Department Of Transportation Necessary For The Bridge  
*Sponsor: Coolman* Inspection Program Services ([Ordinance, Exhibit A](#))  
- Second Reading Only

**First Reading****ORD-19-047***Development*

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Canal Cove Section 6 ([Ordinance, Recommendation, Exhibit](#))  
- First Reading Only

**ORD-19-048***Development*

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Canal Cove Section 7 ([Ordinance, Exhibit](#))  
- First Reading Only

**ORD-19-049***Public Service*

An Ordinance To Accept Hill Road Right-Of-Way ([Ordinance, Exhibit A, Exhibit B](#))  
- First Reading Only

**I. Reports***Mayor's Report***19-077****Mayor's Report***Fairfield County Sheriff**Law Director**Finance Director**Public Service Director***19-078****Public Service Project Updates***Development Director***J. Council Reports***Work Session/Council - TUESDAY, September 3, 2019 at 6:00 p.m.**Work Session/Council - Monday, September 16, 2019 at 6:00 p.m.**Committee of the Whole - Monday, September 30, 2019 at 6:00 p.m. (TENTATIVE)**CW Human Services - Mr. Lynch**CWICC - Mr. Clark**CWJRD - Mr. Bennett/Mrs. Amos**Destination: Canal Winchester - Mr. Walker***K. Old/New Business****L. Adjourn to Executive Session (if necessary)****M. Adjournment**

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Minutes - DRAFT

**August 5, 2019**

**5:30 PM**

## Council Work Session

*Mike Walker – Chair*

*Jill Amos*

*Will Bennett*

*Bob Clark*

*Mike Coolman*

*Bruce Jarvis*

*Patrick Lynch*

**A. Call To Order**

*Call to order @ 5:35pm*

**B. Roll Call**

*Present 6 – Amos, Bennett, Coolman, Jarvis, Lynch, Walker*

*Absent 1 – Clark*

***A motion was made by Jarvis to excuse Clark, seconded by Walker. The motion carried with the following vote:***

***Yes 6 – Jarvis, Walker, Amos, Bennett, Coolman, Lynch***

**C. Also In Attendance**

*Mayor Ebert, Matt Peoples, Lucas Haire, Amanda Jackson*

**D. Request for Council Action****RES-19-016**

*Mayor*

A Resolution In Support Of The 2020 Census And The Canal Winchester Complete Count Committee ([Resolution](#))

*- Request to move to full Council*

*Mayor: 2020 is the national census, this is a resolution that supports a committee we are putting together for that purpose.*

***A motion was made by Jarvis to move RES-19-016 to full council, seconded by Coolman. The motion carried with the following vote:***

***Yes 6 – Jarvis, Coolman, Amos, Bennett, Lynch, Walker***

**ORD-19-043**

*Development*

An Ordinance To Authorize The Mayor To Accept An Easement For Water Line From Hsing Hua Cheng And Declaring An Emergency ([Ordinance](#),

[Exhibit A](#))

*- Request to move to full Council*

*Haire: Thank you Mr. Walker, as many of you have noticed there is quite a bit of work going on behind the McDonald's at 7515 Hill Road; this piece of legislation and the next one will talk about that property; they have installed a public waterline, and we need an easement to accept that waterline as a public line, this is an ordinance that accomplishes that.*

***A motion was made by Amos to move ORD-19-043 to full council, seconded by Lynch. The motion carried with the following vote:***

***Yes 6 – Amos, Lynch, Bennett, Coolman, Jarvis, Walker***

Jarvis: Would it be possible to state the reason for the emergency? Haire: They would like to open as soon as possible, to do that we need to have an accepted waterline; this project has been delayed by about 9 months by the annexation.

**ORD-19-044**  
*Development*

An Ordinance To Accept The Application Of Hsing Hua Cheng For The Annexation To The City Of Canal Winchester Of Certain Territory In Violet Township Containing 7.823+/- Acres And Being Located On Hill Road South Of Kings Crossing, To Amend The Zoning Map To Zone 8.668+/- Acres To Planned Industrial District (PRD), And To Approve The Development Standards Text For Such 8.668+/- Acres, And Declaring An Emergency ([Ordinance, Exhibits A B-1 B-2 C D](#))

- Request to move to full Council

*Haire: Thank you Mr. Walker, this ordinance would allow the city to accept a 7.823 acre parcel on Hill Road, south of Kings Crossing, the same property located at 7515 Hill Road; it does a number of things – this accepts the annexation, and this allows us to rezone the property to a planned industrial district; this district is similar to the Meijer development; it would allow manufacturing uses, which the primary business currently located there is; it would allow general commercial, which is what we anticipate the rest of the parcel developing as; a few changes that we allowed – we accepted some uses that would generally be allowed in a limited manufacturing district; specifically warehousing, mini warehouses, any automotive related uses we excluded from being allowed in this planned industrial district; we see this site as a gateway site, so we beefed up some of the architectural standards and building orientation, and how those would look; obviously this is a gateway to the community when getting off of 33, we want to make sure the buildings reflect that, so we’ve beefed up the standards; the building height we changed to 60 feet, which we allow for industrial, but not general commercial; with the hope that we can see another hotel located here, we wanted to have the height be a little taller in this location; Planning & Zoning heard this at their March 11<sup>th</sup> meeting, and their recommendation was for approval, with a few conditions, which are reflected in here; primarily that any development be reviewed in the context of future transportation plans; that’s just addressing the intersection of Kings Crossing and Hill Road; there are plans through the Fairfield County TID and MORPC’s transportation plans, and ours to address that intersection at some point in the future; the other one was to allow warehousing, and change that to restricted from transit yards, basically trailer storage yards; we’ve made those changes in here; the Fairfield County Commissioners heard this annexation on May 7<sup>th</sup>, and unfortunately with our recess, we missed it by one day for when we could accept this, so we had to wait another 30 days to accept this; we’ve exceeded our 60 day limit, and we’re able to accept the annexation at this point in time; I’d be happy to answer any questions you have.*

*Lynch: This property here – the warehouse is already there, and it’s functioning right now; if the owners move down the road, and sell the property, and build something in addition? Haire: This owner acquired that building late last year; they are moving a new company that they’re establishing there; they’re not up and running yet, they just finished the waterline, and are getting their sprinkler systems done, completing the renovations; you’ve probably seen the windows – they put those in about a week and a half ago; they’re just about at the point where they’re ready to occupy the space; the intention would be that they*

*don't need the entire 8 acres for their operations, so their hope would be to sell off 2-3 outparcels around their building, and retain a little bit on the rear of their building for future growth; Lynch: They would probably be parcels closer to Kings Crossing, I'm guessing? Haire: There would be 2 on Kings Crossing, and one on Diley Road, is what they've preliminarily laid out.*

*Jarvis: Just a reminder, the nature of their business is hazmat? Haire: They recycle electric vehicle batteries, not normal automotive batteries, only for electric vehicles.*

**A motion was made by Lynch to move ORD-19-044 to full council, seconded by Coolman. The motion carried with the following vote:**

**Yes 6 – Lynch, Coolman, Amos, Bennett, Jarvis, Walker**

#### **ORD-19-045**

##### **Public Service**

An Ordinance To Authorize The Mayor To Provide Consent To The Director Of The Ohio Department Of Transportation Necessary For The Bridge Inspection Program Services ([Ordinance, Exhibit A](#))

- Request to move to full Council

*Peoples: This is a contract that we currently have with ODOT; this was the first year we were in the program, it was free, provided by ODOT; they go around do our bridge inspections – the previous inspector we had took a promotion, and was no longer able to provide us service, he charged us at the time, so we got a better deal on this; ODOT goes out and rebids out all of their contracts, their professional services contracts, we just happened to get in the last year of that contract; this would be for the next 3 years.*

**A motion was made by Coolman to move ORD-19-045 to full council, seconded by Amos. The motion carried with the following vote:**

**Yes 6 – Coolman, Amos, Bennett, Jarvis, Lynch, Walker**

#### **ORD-19-046**

##### **Finance**

An Ordinance To Amend The 2019 Appropriations Ordinance 18-040, Amendment #5 ([Ordinance, Appropriations Amend Memo 5](#))

- Request to move to full Council

*Jackson: This appropriation amendment – we are asking for \$135,100 in the general fund; I will go through this very quickly; \$32,100 of that would be for parks capital outlay; all \$32,000 of it would be reimbursement from other parties – the JRD, the Brock Strong Foundation, as well as the schools; the JRD and the Brock Strong Foundation, along with the city, are going to be doing some work on the fields at Hanners Park; they have asked that we bear the cost of that, and then reimburse us; \$9,100 would come from the JRD; Brock Strong would contribute \$3,000; the total of that project is an 'up to' amount, so the reimbursement amount from the JRD could be a little lower, depending on the amount of work they do out there; the remaining \$20,000 would be reimbursement from the schools; if you recall, the schools are doing a workout station project at Westchester Park, so we are going to be helping with the timbers and mulch for each of those 20 workout stations; the schools asked us that we bear the cost, and they would reimburse us for their portion; we are asking for \$18,000 for pool capital outlay, so we can have the*

*competition pool painted as soon as the pool season ends here in a few weeks, this was last done about 4 years ago; finally, we are asking for \$85,000 in construction services operating expenses line item - \$75,000 of that is for the thoroughfare plan; I did receive an email from Mr. Bennett asking for the previous one, which I sent out this morning so hopefully you have received that; we have had always had the intention of working on this project this year, we had originally budgeted for it, and then we started moving forward with doing things for McGill Park, so we ended up using that money; now we are asking to replenish the coffers, so that we can get going with this project; I know some meetings have already started taking place; finally, we're asking for \$10,000 also in the construction services operating expenses for the preliminary design of the 2020 Street Program, we typically start it the year before the actual program; with that, I'd be happy to answer any questions.*

*Jarvis: I just want to say that I'm very happy we are updating the Thoroughfare Plan, it's time; I was curious as to what the process is – is that going to be bid, or do they go back to the firm that did the 2009 plan? Do they update it from there? Peoples: EMH&T did the 2009 plan, we still contract with them for engineering services, so we have already met with them; we are going to be working with MORPC as well for some of the data that goes along with that; we are working on a proposal for those services Jarvis: Is any of that considered in the scope for them, their retainer? Peoples: No, these are additional services.*

*Bennett: One question about the Thoroughfare plan – sorry Ms. Jackson, I know it's your report; Mr. Peoples – what kind of involvement is there in the Thoroughfare Plan, is it more of a technical plan that's assembled by the engineers? Is there a committee that works on that, I'm just curious about the process; Peoples: Right now, when we first start out, Mr. Haire, Mr. Sims and the mayor and I were in the meeting for that, with MORPC as well, with some of the regional data they have; we also discussed a public meeting, to get some comments on the plan; it is technical in nature, but it does set out quite a bit of blueprint for the future; we definitely want to have some public input on it.*

***A motion was made by Coolman to move ORD-19-046 to full council, seconded by Lynch. The motion carried with the following vote:***

***Yes 6 – Coolman, Lynch, Amos, Bennett, Jarvis, Walker***

## **E. Reports**

*Matt Peoples - Thank you Mr. Walker, from my written report – Gender Road Phase V, we have started looking at the possibility for an OPWC application; for Phase V, we started looking at the deficiencies that we have ; we are looking at an upgrade to Canal Street, which is our last signal that's not a mast arm, it's still a ; we've identified a possibility of a turn lane to go towards Lancaster, but we also have a lot of deficiencies with pedestrians there; we have to work with ODOT on this, EMH&T has started working with contacts they have up there in district 6; we are still trying to evaluate whether this would be a good OPWC project or not, if it involves the 33 ramp, it will not be; it will have to go through some more regional-type funding; we talked about the Transportation Thoroughfare Plan – we have storm-sewer replacement with the drainage issues we had with the heavy rain in the spring; we had some drainage issue at the Bowen and Busey intersection; we traced it back – there's a multi-jurisdictional line in there, it's an old petition ditch that they filled in and put a storm-sewer through; there used to be within the*



corporation limits a tree farm that was up there, just west of Bowen Road at Busey; when the tree farm was in operation, they knew where that sewer line was, they kept the trees back from it; since they have been out of operation for about 15 years at least, all of those roots have gotten in there; it is our line to maintain, Franklin County drainage engineers have offered – they put out a generic contract for storm water line repair - they've offered to extend that project over to us, the cost of that project, and they've also offered to take over the inspection; all it would cost us is the actual replacement of line through that contractor; we are still working through that, we don't know what those prices are; the drainage engineer has worked with the contractor, and they are finalizing some things within that bid; we are looking at - because it is causing some water backup in there, we'd like to do this as soon as possible; we were hoping to get it on the appropriation amendment for this evening, but we don't have the pricing on that; Ms. Jackson – this is going to be her last meeting for a little while, so if there is a possibility of doing an appropriation amendment, I'd rather do it with her involved; we probably won't be able to do it with the schedule and severity of problems over there; we will hopefully look at it by next meeting; we talked about Hanners Field a little bit, we've identified some deficiencies on that, and have been working with Mr. Bennett on those fields out there; we had a contractor come in, they did the fields for us the last time, which was in 2012; they were in very bad condition in 2012; with that, we are looking at about a \$20,000 project; the Brock Strong Foundation, as most of you know they do a baseball tournament Labor Day; they found out that we were looking at those fields, and made an offer to grant us \$3,000 towards that; it was very much appreciated from them, it was out of the blue, not expected; it definitely helps with something that wasn't specifically budgeted for this year; the last thing I have is that one of our long-term employees, Brenton Austin, who has been with us about 10 years – today was his last day, he took a position at the city of Bexley; he made quite a lot of contributions to the city, was a very dedicated employee; we are going to miss him.

Jarvis: Mr. Peoples, going back to the Busey Road drainage tile – what's the worst-case scenario there, cost-wise? Peoples: I'm going to roughly say \$75,000 – they sent me the bid tabulation on it, so I know exactly what it is; it's an 18 and 21 inch pipe through there; I know what it is to replace the pipe – it's some of the other things like removing the trees and roots that I don't know; that's where they needed a very specific cost.

(Discussion ensued)

Lucas Haire - Thank you Mr. Walker, there is a busy agenda coming up for the Planning & Zoning Commission; there is a new office/warehouse building proposed in Canal Pointe for a company called 5-Star Heating & Cooling, it's a 12,000 square foot building; we also have a 7,600 square foot addition for Buckeye Power Sales on the agenda for that meeting, and a new 82-room Fairfield Inn proposed for Winchester Boulevard, to the rear of the Winchester office park; they have a number of variances they'll be seeking; I have my written report a Bank of America branch, but that has been tabled; I anticipate that will be the following month, they have a few issues to work out; the CWICC entered into a land lease with Trine Fairfield LLC; that's for the project at 18-26 West Waterloo; they are anticipating to break ground in mid-to-late September; I know the developers are eager to get that started; the tax incentive review council held their annual meeting on July 24<sup>th</sup>; I will have legislation for you at the next meeting to review

*their recommendations on that.*

*Amanda Jackson - Just 2 quick items I'd like to touch on – the pool will be open another 3 weeks, but I am happy to report that we have exceeded our revenue expectations already; it's been a very successful pool season from a money standpoint; as Mr. Peoples spoke of the Bowen and Busey storm project – even though I will not be here at the next meeting, I would anticipate having an appropriation amendment specifically for that project; I've been putting the memo into your packet; hopefully even though I will not be here, you will still be able to process that legislation so we can move forward with that project; I will have access to my computer, so please feel free to email me; I may not respond right away, but I will be responding to anything I can while I am off.*

#### **F. Items for Discussion**

##### **19-077**

##### **Rules Committee Meeting - Set Date**

*Jackson: I would like to set a date for a Rules Committee meeting; the 3 members are Mr. Lynch, Mrs. Amos and Mr. Coolman; I'm not sure if you've had the opportunity to look at the calendar; it would be on a Monday night as part of a regular council meeting; I would be open to whatever you are open to; while I will not be here, I will make sure Mr. Hollins will be so he can answer any technical questions for you.*

*Amos: September 16<sup>th</sup>, Mr. Hollins does that work for you? Jackson: I will send out the current rules to you, so you can have that in front of you; Bennett: Ms. Jackson, would you mind copying all members of council on that email?*

#### **G. Old/New Business**

#### **H. Adjournment**

***A motion was made by Lynch to adjourn, seconded by Coolman. The motion carried with the following vote:***

***Yes 6 – Lynch, Coolman, Amos, Bennett, Jarvis, Walker***

***Adjourn @ 6:02pm***

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Minutes - DRAFT

**August 5, 2019**

**6:00 PM**

### **PUBLIC HEARING**

### **City Council**

*Bruce Jarvis – President  
Mike Walker – Vice President  
Jill Amos  
Will Bennett  
Bob Clark  
Mike Coolman  
Patrick Lynch*

**A. Call To Order**

*Call to order @ 6:05pm*

**B. Roll Call**

*Present 6 – Amos, Bennett, Coolman, Jarvis, Lynch, Walker*

*Absent 1 – Clark*

***A motion was made by Bennett to excuse Clark, seconded by Lynch. The motion carried with the following vote:***

***Yes 6 – Bennett, Lynch, Amos, Coolman, Jarvis, Walker***

**C. Purpose of Public Hearing****[APL-19-001](#)**

June 18, 2019 Appeal of Planning and Zoning Commission Denial of Conditional Use Application CU-19-001 and Variance Application VA-19-005 for Panda Express, Inc. and Waterloo Crossing Ltd. ([Panda Express Appeal](#))

**D. Staff Report**

Panda Express Findings of Fact and Conclusions of Law ([Panda Express Findings of Fact](#))

Conditional Use App CU-19-001 Staff Report ([CU-19-001](#))

*Moore: I'm going to talk through the Planning & Zoning appeal process; this appeal is for 2 sections that Planning & Zoning denied; the first section is for the conditional use of the drive thru component; the second appeal is for a variance denial to change the setback for the subject building; I'm going to talk about both of these separately, this is how Planning & Zoning talked about them; if you want me to stop after the first conditional use discussion to ask questions and have the applicant have a chance to talk, I can do it that way – or we can talk briefly through the conditional use with questions, and then I can move on to the variance, and let them do both, whichever you guys are comfortable with; Jarvis: The way the agenda is structured – if we could follow the agenda, I think that would be best; Moore: Absolutely, I'll be here to answer any questions along the way.*

*Moore: For the first application, it was an appeal for a conditional use application number 19-001; the applicant for this project is Panda Express, for property located in Waterloo Crossing; the location of the subject property is up on the map – the applicant is looking to do a lot split from this overall master parcel, for the Panda Express to be located here; the star on the map is the approximate location of the building and parking; the request that they had was conditional use, to allow for a restaurant with a drive thru window service, in the general commercial zoning district; up on the screen is a site plan of the proposed Panda Express project; a little harder to see on the screen, but if you look on your computers in front of you, you can see the dashed line of what would be the property limits; this area to the south they are reconfiguring some existing parking; the applicant is requesting approval for this particular user to*

*have a drive thru located at this subject property; chapter 1199 talks about a drive thru, and what kind of criteria are required; when looking at the conditional use standards as well, there's also criteria that need to be answered for the drive thru component to be justified; the first one is the proposed use, and the applicable development standards of the zoning code to be met; a drive thru is a conditional use for the general commercial zoning district, however the proposed use of a drive thru does result in requesting a variance to have the building be pushed back further from the street than what's required by code; the second part of that applicable development standards is not being met; when we are looking at the development standards, relating back to the Thoroughfare Plan that was discussed earlier – it says that any road that is a minor arterial, or less, the setback line is actually a build-to line, so that you're having buildings pushed towards the street to have more pedestrian context and connectivity; this site is fronting a minor arterial, so the building should be 25 feet away from Winchester Boulevard; the applicant, with the drive thru configuration on the site, they have that building pushed back approximately 47 feet away from the street; while they meet the major arterial designation for Gender Road for a building to be 50 feet back, this particular section calls for 25 feet.*

*Jarvis: Mr. Moore, if I could ask a question – the 25 feet – is that from the centerline – Moore: No, that is from the edge of the right-of-way, 6 inches to a foot behind the sidewalk; that's the premise of this conditional use here; the development standards are not being met; when looking at the proposed use, if it's compatible with adjacent land uses, zoning appropriate plans - while there are drive thru components in this corridor – the way that this drive thru is designed for this particular site is not compatible; this site has a set of plans for the Waterloo Crossing shopping center that date back to 2004, and all of the plans that staff has on file from 2004, 2005, 2006, 2010, and 2016 show this area located on the map to be a proposed parking expansion; the other plans do have callouts for potential building sites within the parking lot – this particular area is not one of them; further, the proposed plans should not adversely impact traffic flow or other public services; while this site is on a private drive where it's accessed on 3 sides by private roads, it does severely impact the traffic access and design; I wanted to stop at these 3 things to show you some illustrations.*

*Moore: Up on the screen is the site plan that the applicant has put together overlaid on the aerial to give you context, showing the distance from the pavement to the edge of the building; with this particular layout, the applicant is showing a full access curb cut right here that wraps around the front of the building, along with the drive thru exit lane having the ability to turn back south, go east, and then also go west; this approximate location is creating a possible 7 different directions traffic function at a 3-point intersection; this intersection to the south currently exists, but the applicant is redesigning the parking to configure this existing layout with the number of approximate spaces that used to be there; they are also adding an access point in this location that lines up with Walgreens; typically we want access drives to line up to each other; this specific access point was initiated by staff.*

*Moore: Taking a look at a closer view, turning some of the zoning and other information off, you can see some of those movements that I was talking about, showing how these accesses line up; the drive thru component with this setback of the building, and allowing the vehicles drive in either direction is forcing a variance from the 25 foot build-to line; without this drive thru orientation, the building could be pushed up closer to the street, and meet that setback that is required; they could also produce a drive thru*

*component, in staff's opinion, that is compatible with this subject site; the applicant in their written report discusses how they cannot design this site to meet our standards; they can't get the building to not require the setback variance, and that they need this for their function and flow of the product and brand; this is a concept that was produced early on by the applicants trying to figure out how to meet our code; I apologize that it's blurry, it was a cad drawing that was sent to me; they're showing that they can get that building right where we need it, and still have the drive thru component that actually exits only in one spot, where traffic can only go 2 directions; the only thing that is different about this plan is that this access point does not line up as fluid with Walgreens as before; the plans that the applicant put together on this, I'm not sure if they had some issues with the scaling.*

*Moore: Some of the other criteria for a conditional use approval is that the proposed use should not result in destruction, loss, damage of the natural scenic features of the site; going back to the beginning – this is a green field that is designed for future parking expansion for the shopping center development; this proposal does not lose any of the natural features, it was always planned for future development; this is Casto's shopping center plan for Waterloo Plan; they're planning on developing these outparcels, while the subject's site is shown simply as a parking expansion; just the shape of it, and how it is cock-eye oriented to the street – it doesn't show itself as being a future building location; when you're looking at outside this box, where it says future building, there are renderings that show a building sitting at a 45 degree angle to follow the shape and curve of the street; when you are looking at the product here, they don't have the width or the frontage to get that to work; this site being disclaimed as being a developable site is an after-thought, when it was always planned to be a parking expansion; when looking at the conversation from Planning & Zoning and city council from when this shopping center was being developed, this area was highly discussed as not being allowed to have the through-traffic movement, as it would create a stacking issue; they talked about a private drive allowing traffic to flow, rather than multiple curb cuts; this road was designed to be the access point, and make the access to the shopping center smooth and convenient; they're bringing back some issues that I think the initial design tried to eliminate.*

*Moore: Planning & Zoning discussed this application at their May meeting; they discussed that the drive thru – reiterated through the staff report – as designed, is not compatible; we are not suggesting that the drive thru component is completely incompatible with the plans of the area, it just doesn't work when half the sites have drive thru components; what makes this site unique from the surrounding in this location that have drive thru components is that they only have access to their property from one location, while the proposed applicant is asking for access on 3 different sides of the building, further elaborating the incompatibility of the drive thru component; in plans shared with staff, they can meet our setback requirement, and also create a more efficient traffic flow for that drive thru component.*

*Jarvis: Mr. Moore, could you address something – in reading the 109 pages, there was a lot of repetition in there, but the appellant made a point that this 3-point access existed at the O'Charleys across the street – can you tell me what makes that different? Moore: Yes, so O'Charleys – this drive, in this location that connects Starbucks to O'Charleys – that's a private road; this private road has O'Charleys sitting in this location, they have their main circulation around the site, where O'Charleys sits right on that private road; they also have what looks like a parking expansion that was designed in their building layout that creates*

*the third curb cut; when this site was designed, we talk about in our Thoroughfare Plan and in the zoning text that you should only have 2 access drives on a public street, this is all on a private street; everything that this project is connecting to is all private – they can have more than the 2 our zoning is calling for in that instance, but it is something that we do not promote, because it creates more of a traffic hazard; at any cost, we would like to restrict those items to follow our mantra for public street improvements; Planning & Zoning discussed this concept – they took a look at what was done; some of the discussion that was had revolved around the previous approval for this site for the Kay Jewelers; while they do not have a drive thru component, they were able to meet the setback variance; Planning & Zoning saw that this plan that was produced results in that variance being necessary; when looking at a variance proposal, which will be the next topic, a variance is for the life of the property, not for the applicant; if Kay Jewelers received a variance for the setback, then Panda Express would be able to apply that to their site plan; Kay Jewelers never built on this property, but they were able to meet all of the zoning requirements; granted, they are a different type of user, but staff finds that since the applicant has produced plans that show they can meet our criteria, that the conditional use should not be granted as presented; same with the variance application.*

Variance Application VA-19-005 Staff Report ([VA-19-005](#))

*Moore: Moving along into that next portion, the applicant is showing that the building does need a variance from the setback line; this variance is to allow for 2-way traffic between the building and the street; the applicant at the Planning & Zoning Commission meeting did discuss at length Panera Bread, and how they have a similar scenario; Panera does not allow traffic to go both directions – they only allow traffic to leave the drive thru lane, and make that final destination loop; while they do have a drive thru lane that wraps in front, it's only in one direction, and it's not allowing for traffic to start their drive thru experience from multiple directions, or allows people to leave and travel different directions from it; from that standpoint, staff feels that it's a completely incompatible comparison, other than they are a restaurant that has a drive thru; this site is accessed from multiple locations; they do have the ability to have that drive thru exit differently than what some of the other parcels in the shopping center have the ability to do; this site does have a unique ability to be more compliant with our code regulations, if designed appropriately, while other sites do not.*

*Moore: The applicant put together their special circumstances, and why they feel they are applicable to this development text; the applicant, again, talks about the unique shape of the site and how it necessitates pushing the building back from the build-to line; staff would argue that they produced a site plan that shows they can meet this; the applicant stated that the little interpretation of the zoning code deprives the rights of the applicant from enjoying the property; again, the applicant shows a site plan where they can meet this, and the same user can go here and function, and operate, just without the drive thru loop wrapping around the front of the building; during the preliminary discussion, the applicant indicated they needed that drive thru, because if someone has to wait for fresh food, they can park in the parking lot, and the food will be prepared; during that public meeting for Planning & Zoning Commission, the applicant stood up here and said that it's the fastest drive thru service around, based on the nature of the food; typically the only time that someone needs to park is if they specifically request fresh food; we don't feel that it's a justification for that process, either; that was not prompted; the applicant notes that*

*special circumstances do result effectively limiting how place the building can be placed to the build-to line; granting the variance puts the applicant in undue privilege.*

*(Discussion ensued)*

*Moore: Most of the properties in this corridor that the applicant references were already constructed; the goal and intent is to have future development on this stretch of West Waterloo pushed toward the street, and to promote pedestrian access; while this site has its current grade challenges with a switchback ramp, and other things, pushing the building back and allowing traffic to flow both directions in front of the pedestrian is further going against the premise of what the code calls for; the applicant has shown that they can meet the design requirements for our zoning code and text.*

*(Discussion ensued)*

*Moore: The way that the Planning & Zoning process works is that when the conditional use application was denied, they would have tabled the rest of the applications, so that way they can work through the rest of the items; the applicant pushed really hard for all of the variances to be discussed, that way they could bring it all to you in one shot; this decision had a different vote than the conditional use; the conditional use was 3 to deny, 1 to approve; this application was 2 to deny, 2 to approve; if there are any questions on these processes, or why they look at it separately, I can answer any questions.*

*Lynch: Mr. Moore, has any application been made for the drive thru loop-around to be one lane, and close off the access? Moore: This site in the shopping center plans says that it's a parking expansion; it wasn't until Kay Jewelers came around in 2015 and asked for it to be developed on, it was the first application we had; there is nothing that says we are going to prohibit someone from developing on this property, if they can get it to work; this current site plan does not work; the applicant has shown that they can design the building to not have that wraparound in this context; I believe they've done another site plan, where from the suggestion of staff, we would support the setback variance, if they provide an amenity in the front of the building, such as a large patio.*

*(Discussion ensued)*

*Moore: I have worked with this applicant for 9 months; another alteration – they had the building pushed back, didn't have the loop, but they had 2 parking spaces in front of the building, in between the building and the street; that specific scenario required 2 variances – one for parking in front of the building, and one for the building pushback; the applicant didn't pursue that one, because it had more risk; it eliminated that loop, however; there have been multiple iterations of this plan to try to be in code compliance; what you see in front of you with this plan is what ended up at Planning & Zoning Commission as what they wanted to go through with; that's part of the reason it's being recommended for denial.*

*(Discussion ensued)*

*Amos: Is there a reason that the outparcels that are currently next to Panera and Chipotle are not the primary ones these companies are targeting? Moore: That would be a question for the applicant, I don't know any rhyme or reason on why they picked this site over another site.*



*Jarvis: If there are no further questions for Mr. Moore, we will move onto the appellant's presentation.*

#### **E. Appellant's Presentation**

Brief to City Council in Support of Conditional Use Application CU-19-001 and Variance Application VA-19-005 ([Appellants' Brief](#))

*Joseph Miller, Attorney Representative for Panda Express: We have submitted to you, as you know, the brief of the applicant and the owner, as well as the affidavits for support that we asked be part of the record for tonight; we appreciate your time and attention to that, as well as this presentation, and the live testimonies of witnesses that we have before us; respectfully, I am glad to hear Mr. Moore state that he agrees a drive thru is appropriate for this site, it's just a question of the design or the layout; I also appreciate his statement that while plans for the shopping center may reflect one thing, this is a developable site in staff's view.*

*(Discussion ensued)*

*Miller: While staff has proposed to you one particular layout, we would submit to you that the layout as proposed to this council is safe, efficient, and in fact, optimal; you are well familiar with the site, and I can move quickly through this.*

*(Discussion ensued)*

*Miller: We are simply asking for a change to the applicable setback requirement to accommodate for the drive thru that both the applicant and staff agree would be appropriate for the area, and for the site; I agree that we need to consider the specific factors, as it relates to the variance, and as it relates to the conditional use application; let me tell you what we can take off the table from our perspective – Planning & Zoning Commission found that this was an expressly permitted conditional use; in fact, you just heard that staff found that it is compatible with the adjacent used, and compatible with surrounding development.*

*(Discussion ensued)*

*Miller: We would present to you the live testimony of Bryan Kan, senior design manager of Panda Express, Henry Klover, the architect with 4 decades of experience and site design/layout of commercial property such as this, we have a traffic expert, John Gallagher; while I am respectful of Mr. Moore's opinions, they were just that, and feelings as expressed in the staff report – Mr. Gallagher has several decades of traffic and on-site circulation studies; likewise, to satisfy the few remaining factors, appraiser and commercial real estate developer Bob Wyler is here to tell you why this is perfectly compatible.*

*Bryan Kan, Senior Design Manager for Panda Express: I have been with Panda for 14 years; my background is in design, I've been in the design field for about 20 years; Miller: An affidavit has been submitted to council as exhibit E, is that your affidavit? Kan: Yes; the site was selected due to the fact that it's at a very optimal location, in terms of the street visibility; as you can see, the street does curve away from the building; in commercial real estate, once you are outside the curve, the visibility is enhanced, therefore the location of the site is suitable for our drive thru business; Panda Express has been focusing*

on drive thru business, mainly to serve the communities and to celebrate the time that they can order, and pick up their food, and go home; we've experienced a large number of drive thru business in Ohio, particularly in the Columbus area, therefore the design of the site is tailored to that need of the market; this site is designed with multiple points of access to accelerate the circulation of the site, because in a commercial site, especially in restaurants – I'm sure many of you have experienced going into a site where there is dead-end parking; once you enter, you have a hard time maneuvering and getting out of the site; we are trying to avoid that in all site designs, to provide multiple access points, so our guests can come in and out of the site very easily, without any trouble circulating.

Miller: We saw staff's preferred design, where they said they would approve a design such as that? In your opinion, based on your experience, is that safe or optimal? Kan: That is not optimal; we have done different iterations of the site plan in our feasibility study – 18 to be exact – we try to work with the city in terms of site design; we are operation-driven, and all of the site designs are tailored to our guests, and also our operations; Miller: Do you have a site layout similar to this in locations throughout the nation? Kan: Yes, we do; Miller: Have you ever encountered opposition to this site proposal before? Kan: Very rarely.

(Discussion ensued)

Miller: The access point to the north of the site – does that concern you at all that it's full-access, versus one-way? Kan: No, full-access does give us the ability for the vehicular traffic to circulate around the site; for customers that are going out to the street, they can either turn right after their drive thru order has been picked up, or they can circulate back into our site; Miller: Are you concerned at all that the drive thru service as proposed will create traffic or safety concerns? Kan: No, that's the reason we provided multiple entryways, so that our guests can circulate without having to backup; when they encounter a dead-end parking situation, they have to backup; providing multiple access points is essential.

(Discussion ensued)

Jarvis: Mr. Kan, before you leave the podium, I have a question – I found online that there is approximately 1,800 locations all over the country, is that still accurate? Kan: It's over 2,000; Jarvis: I do have a question – are there variations in design to what we're looking at here? Kan: Yes, there are; Jarvis: This is not a single-standard design that is a part of the Panda Express model; Kan: This is the current generation of the building design; the orientation of the building is optimal, in terms of our system throughout site designs; we do have other orientations; Miller: Do you avoid the dead-end parking situation, however? Kan: Yes.

Henry Klover, Site Architect for Panda Express: I graduated from the University of Kansas in 1980 with the highest distinction, with a Bachelors in Environmental Design at that time; Bachelors of Architecture in 1985, I'm a registered architect in all 50 states, plus the District of Columbia; I was weened and specialized in major shopping center design, lifestyle centers, have been the Panda Express architect for 25 years; I've been working on sites across the country; I am the architect of record for the project, as well as the initial designer; I should explain to you – I would like to bring up their site plan – when we do these, we do every layout you can think of; one of the layouts is can we accommodate everything; I'd like to

*explain why that's not a good idea.*

*(Discussion ensued)*

*Klover: It's not a good idea for several reasons – number one is that it's dead-end parking; realistically, if you count, there are 29 intersections in the Walmart parking lot; we try to avoid this in all of our shopping center designs.*

*(Discussion ensued)*

*Klover: The planner stated that I said at our last meeting that we wanted something special; now I know this, because my wife always wants the vegetables; the vegetables don't go that fast, so a lot of times they're low and make it fresh; if they have to make it – if you pick something that's not really popular – in this particular case, they'd have to go all the way around and go back into a dead-end parking lot; Miller: While we are on that topic, the suggestion was made that Panda could make do with a one-way lane at the front of the store, which would still require a variance; do you consider that safe? Klover: No, that's still dead-end parking.*

*(Discussion ensued)*

*Klover: In my opinion, we did not seek any particular issues with the arrangement or layout; there are more access points because there is leftover parking lot, and in the leftover you don't want to make that a dead-end; also, you might notice – when they did this layout, they did a single island that's unused along the edge; in my world, we don't do that, either; the reason we don't do that is because nobody has to make a full right, or a full left turn to go anywhere; it creates a situation we call "dive-ins"; the new plan fixes that as well, and makes people make full rights, or full left turns; Miller: Let me ask you – the Planning & Zoning Commission found that 3 access points on the property creates an adverse impact on traffic, do you agree with that? Klover: No, not at all; I've spoken about it a little bit, but the whole issue is about how people circulate; to me, if you say to not have the access below, then there is a dead-end parking area; if you don't have the access parking above, there is a dead-end parking area, again; if you do like the Panera, you end up with circulation coming around, and dead-end parking.*

*(Discussion ensued)*

*Klover: When you work on these types of sites, typically you'd have enough room and the site would be wide enough to get complete circulation around it; in this particular case, it was important to us to make sure that we had plenty of stacking – the previous site only had 7-8 stalls, this has up to 11; it's not going to be a back-up situation, it has free-flow for people to get around it; being narrow, it forces the building and the parking to be on one side, and the drive thru on the other; I think there is one site, like the Burger King, that is similar; there's utilities and easements through there (the setback), and when you look at the rendering, it's 3-feet down on the corner – to create the pedestrian access, you're getting a switchback to get down there, so you're trying to get down the 3-foot change in grade; the thing that is unusual about this is that usually the closer you get to intersections, the wider the setbacks are, because that's where all the activity happens, where future road widening's happen; in this case, for some reason – this is a 25-feet, and everything else behind this is 50-feet, which is completely backwards from what you normally see; Miller: The suggestion has been made, even though we recognize it as zoned general commercial,*

*that perhaps this should be reserved as parking for Walmart; is that the best use? Klover: Not even close, a lot of times when Walmart does these site plans, they'd pick areas where they'd allow buildings.*

*(Discussion ensued)*

*Miller: You touched on this a moment ago – do you have any concerns that the site plan is not consistent or compatible with the surrounding area? Klover: The answer is no, but it's completely opposite; if anybody that didn't go to this meeting were to drive through that area, and someone said you're going to put a Panda there, and you said 'that's not compatible', they would think you're drunk.*

*(Discussion ensued)*

*Miller: In conclusion, do you have any concerns about the safety, proper circulation, and compatibility of this site, and the consistency granted to other owners within the area? Klover: No, none; Bennett: Mr. Klover, I do have one question – when the Panera was approved, there was discussion of pedestrian travel, there was discussion of having 2 lanes cross; it did get limited to a one-way drive that swept across the front; if you could go back to your map for a moment, and explain to me a little bit why a one-lane travel in in that direction is not appropriate? Klover: Personally, the minute I saw it, I thought it was a mistake; Bennett: Part of the reason for it was to make sure that it was a little bit safer for pedestrian travel, to navigate one lane of travel, instead of both lanes; Klover: When I first saw this, and actually drove it; it's not very conducive to overall internal design; it creates dead-end parking, they made it a little bit wider; it's confusing, the only way you keep people out of there is to have signs that say 'do not enter'; if we were concerned with traffic moving both ways, you wouldn't have the crosswalks out front of your building here; people are not incapable of moving their head from the right to the left; this to me was exceptionally confusing, and not what I consider to be good site design; Bennett: I guess, that's opinion; the fact of the matter is that we have one that exists, Panera is not 'dark', they are thriving, I would argue; I guess I would argue why is the one lane of travel not plausible on your site; Amos: Mr. Klover, I'm going to add to his argument that if you look at our current restaurants that we do have downtown – Arby's, McDonald's, Taco Bell – they all have a one-way direction; Klover: It's because you can loop around the building, which I stated on this site is too narrow; Amos: Burger King you cannot; Klover: That's the only one – every one of these sites have the ability to loop completely around the building.*

*(Discussion ensued)*

*Bennett: I don't understand why there's a need to turn right out of the site; the drive thru lane can loop back around the building; Miller: I would submit that Mr. Gallagher can speak to this as well; Klover: That's still not going to solve the problem of how far the building is from the street; it doesn't magically pick up 15 feet; if you look at the Panera site, they made their access point for the parking wider, it's not a traditional 20-foot driveway, they made it bigger so that when people get stuck they can turn around; when you're doing site designs, you always have pros and cons; if you're talking about that their might be conflict for somebody trying to get around the corner versus dead-end parking, the dead-end parking is always the loser.*

*(Discussion ensued)*

*John Gallagher, Traffic & Circulation Expert for Panda Express: I'm the director of traffic and planning for*

*Carpenter Marty Transportation; I've been there for a total of 11 years, I have 30 years of experience in transportation, both on the government and public side; I've done site layouts and site consultation for Home Depots in just about every state in the country, so I'm familiar with this type of thing; for the last 10 years, I've represented the City of Worthington in such matters in the same way that I believe EMH&T does for you; for the last 5 years, I've done that for the City of Gahanna; Miller: You've worked for ODOT in the past as well? Gallagher: And the City of Columbus, yes; Miller: I'd like you to describe for council some of the work you've done in evaluating this site plan, and the conclusions to which you came; Gallagher: We visited the site, examined the site plan, did some research on the crosswalk that they had proposed, and some potential upgrades to that - I'm talking about the one across the drive aisle; we researched some trip generation a similar-sized site that wouldn't have a drive thru through the IT trip generation; we did a 24 hour count at the existing Panda on North Hamilton Road, and compared those to the IT national data; Miller: Could you describe generally for the council members to what conclusions you came with the results of this study? Gallagher: I'll go through my report - as far as access and site circulation, as we've discussed, they're proposing it be a full access; there's the access through the south side of the site, through easement, through what still belongs to Walmart, and then they proposed the full access point to the west side, that lines up with the drugstore across the private drive; all of those are proposed to be full access points, not having full control of the one to the south - I would argue that that one is somewhat in question, from a traffic engineering perspective; the conclusion that I came to with my experience with these types of sites is that any commercial entity that would come forward on this site, it's bordered by 3 roadways, to not be asking for at least 2 access points directly onto their property would be extremely unusual; I think what they're asking for is more than reasonable for this site that's bordered by this many roadways, especially because they are private roadways; as you guys know, most of the time you get somebody show up, and they want access onto Winchester; I think this is pretty reasonable - Miller: What about the layout itself of the site, anything exceptional about it? Gallagher: This is a pretty typical site layout; as you discussed with the Panera, there are situations where parts of the drive thru remain one lane; what makes the Panera different is the limits of their drive-thru-only portion are one-way; everywhere they are parking people and circulating access points are two-way; if somebody came in with a site just to the east of the Panera, and wanted cross-access across the top, they would want theirs to be two-way in front as well, so people could circulate; Miller: Let's talk about that specifically, the two-way traffic in the northeast of the site; based on your experience, does anything concern you about pedestrian safety? Gallagher: No, it's not concerning; they are proposing a ladder-type crosswalk, which even in the public world would be considered an upgraded crosswalk; it's not the volumes of a public street, or anything like that; I would also argue, as most Casto developments, this is a very car-centric development; this is very suburban-esque; while I appreciate the build-to lines, and all the cities that want to try to increase walkability, the potential to walking to this site is 0 from the actual sidewalk; I think we'll get pedestrians from the Walmart area, and their employees that come to eat lunch, and from the rest of the adjacent commercial activity; I'd be surprised if we get 1 a month that actually comes from the sidewalk; in your opinion, there is no concern as it relates to pedestrian safety? Gallagher: No.*

*(Discussion ensued)*

*Hollins: I have one clarification - this site plan, is it the same site plan that was submitted? The only thing that catches my eye is that there seems to be an additional parking spot that serves as an area to turn*

*around, is this the same site plan? Gallagher: Are you talking about the hatched-out area? That's hatched-out next to a handicap spot, I believe.*

*Miller: We do have Mr. Wyler yet to testify – Jarvis: We were looking at approximately 35 minutes, we have exceeded that; Miller: I understand, and I appreciate that; my last witness is Mr. Wyler.*

*Bob Wyler, Commercial Realtor Rep for Panda Express: I received a Bachelor's Degree in Real Estate many years ago, in 1957; I received a Master's in Real Estate from Ohio State, received a Doctorate in Real Estate from Ohio State University; Miller: Could you please describe your place of work? Wyler: Our office is at 10 North High Street – I was confused coming here, we are both at 10 North High; we are in downtown Columbus, right across from the capital; been there about 10 years; the company was started in 1938 by my dad, we are in our 81<sup>st</sup> year; I was not very good at sales, and went into appraising; I've been doing appraising and consulting in the central Ohio area; from an appraisal side, I've been a member of all the major appraisal associations, I was chairman of the Ohio Appraisal Board, and a member for many years; I've just spent just about all my adult life in real estate appraisal and consulting; Miller: I would ask you to describe what you did to formulate your opinions; Wyler: Certainly, I know time is important here; let me just say that I had 2 major functions – one is to look at this site and see whether this use is compatible with the area; I don't think we need to spend a lot of time on that, I think we all agree that this use is compatible; the second is whether this use would have a negative impact on the surrounding property values, and whether or not this use would have any adverse effect as far as property values are concerned; in both cases, my opinion is that it definitely is compatible, as are the other dozen – more than a dozen – fast food restaurants that are on either side of the highway in the 2 shopping centers; as far as the adverse effect, maybe I could take an extra minute on that; after looking at the site in the plans, I tried to examine other Panda Express locations; there are 12 in the metropolitan area, and they are in established areas just like the subject.*

*(Discussion ensued)*

*Miller: In conclusion, I would bring it back to where we began – this city, its staff, its Planning & Zoning Commission must be governed by its code as set forth, not mere feelings or notions; this council has to be guided by the evidence before it in making this decision, because we are dealing with property rights, where rights under the US Constitution are implicated, where 25 drive thrus exist within the immediate vicinity of this site, including 11 for fast food or fast casual establishments; this property owner has the right to be treated similarly to those owners, and frankly, similar to prior appellants before you; I've had the privilege of coming before you several times, including drive thrus and conditional permits – each time, based on the evidence, you got it right; I would ask that you do the same thing here.*

**F. Public Comments - Five Minute Limit Per Person**

**G. Council Discussion and Recommendation**

**H. Adjournment**

***A motion was made by Lynch to adjourn, seconded by Bennett. The motion carried with the following vote:***

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*Yes 6 – Lynch, Bennett, Amos, Coolman, Jarvis, Walker*

DRAFT

# Canal Winchester

*Town Hall  
10 North High Street  
Canal Winchester, OH 43110*



## Meeting Minutes - DRAFT

**August 5, 2019**

**7:00 PM**

### **City Council**

*Bruce Jarvis – President  
Mike Walker – Vice President  
Jill Amos  
Will Bennett  
Bob Clark  
Mike Coolman  
Patrick Lynch*



**A. Call To Order**

*Call to order @ 7:42 p.m.*

**B. Pledge of Allegiance - Bennett****C. Roll Call**

*Present 6 – Amos, Bennett, Coolman, Jarvis, Lynch, Walker*

*Absent 1 - Clark*

***A motion was made by Walker to excuse Clark from the general meeting, seconded by Bennett. The motion carried with the following vote:***

***Yes 6- Walker, Bennett, Amos, Coolman, Jarvis, Lynch***

**D. Approval of Minutes****[MIN-19-032](#)**

July 1, 2019 Work Session Minutes ([Work Session Minutes](#))

**[MIN-19-033](#)**

July 1, 2019 City Council Minutes ([Council Minutes](#))

Coolman: on the city council minutes there needs to be a correction on the vote for the resolution for Labor Day Festival; that I was the person who abstained not Mr. Clark;

***A motion was made by Bennett to approve MIN-19-032, MIN-19-033 with the amendment that Mr. Coolman mentioned that it was he who abstained and not Mr. Clark., seconded by Amos. The motion carried with the following vote:***

***Yes 6 – Bennett, Amos, Coolman, Jarvis, Lynch, Walker***

**[MIN-19-034](#)**

July 29, 2019 Committee of the Whole Minutes ([COW Minutes](#))

***A motion was made by Amos to approve MIN-19-034., seconded by Coolman. The motion carried with the following vote:***

***Yes 6 – Amos, Coolman, Bennett, Jarvis, Lynch, Walker***

**E. Communications & Petitions****[19-067](#)**

June 28, 2019 CW Human Services Letter ([Letter](#))

*Jarvis: there was a letter from Canal Winchester Human Services; It was dated June 28<sup>th</sup>; as I recall it was it was kind of an informational status and kind of a statement of appreciation for recent support; I don't recall that there was a specific call to action for council and the city in that letter.*

19-068June 20, 2019 Franklin County Children's Services Letter ([Letter](#))

Jarvis: June 20<sup>th</sup> dated; Franklin County Children Services letter; they have a levy that is going to elapse; I think that was some time in calendar year 2019; they were looking for support; drumming up support for renewal of that levy; and they requested to come and address council at some point in the near future; Mayor: they're here now; they're here tonight;

Bruce Cadwallader, 6549 Warriner Way, Community Outreach Director, Franklin County Children Services: a proud member of the Canal Winchester Local School District for the past 14 years; as a matter of fact I served as your swim commissioner for several year with the Joint Rec District; Jarvis: I thought looked familiar; Caldwellader: glad to be back in the district and glad to be back in town hall; my time is limited so I'll be brief; I wanted to just bring our message to you again that Franklin County Children Services is the only public agency mandated to care for an protect abused and neglected children; often we get confused with child support or the welfare office; we handle abuse an investigations; we handle over 32,000 calls for service every year; and that number is growing; as you might expect the opiate crisis has increased the need for help for these children and families; we are actively recruiting new foster parents, volunteers, mentors; we also partner with 100 community partners that provide supplies and services to help us do our job; we have over 800 employees in three different buildings in Franklin County; thank you for the opportunity to come here tonight just to represent our message that we our out in the community daily; we serve families where they live and honoring their culture and trying to resolve permanency issues; last year alone the 13,000 cases that were investigated resolved in more than 2400 children being placed in foster care; more importantly 1900 were placed in kinship care; grandmas, grandpas, aunts, uncles, family friends who can help out at a time of crisis; we're looking for that opportunity first because we have better outcomes when children our placed with family instead of a new relationship with foster care; we also had 473 placed with mentors; we had 158 adoptions that were finalized in the year and these were in statistics that I handed out that you can look in your notebook and review later; also I wanted to let you know that we do have a renewal levy on the ballot November 5<sup>th</sup>; this is a 3.1 mill renewal levy which will not raise taxes; but it does involve 42% of our funding for the year; Children Services in funded by two property levies; they're both 10 year levies that expire at 5 year intervals; so this levy that was first approved in 2009 will expire this year if not approved by voters; as I said it accounts for 42% of our agencies income and it does provide vitally needed resources for the community of passed; we would be asking council for a resolution later if possible; just for your information in case anyone was wondering we have a 212 million dollar budget and this levy will generate 84 million of that; it will cost the property owner of an average home only about \$85 per year to provide these basic services for families in crisis; I come to you today to let you know that Children Services is involved in your community; we map out these zones by zip code; we've been in the 43110 zip code; unfortunately the need is great for more intervention and more families to step forward and take care of these children; I thank you for your time; good to see you again; if there's any questions id be glad to answer them; Jarvis: that resolution that you're seeking Bruce is the timing of that, obviously it's a little premature right now, is that something you would envision in October or September; Cadwallader: I should say the county commissioner just approved this to go on the ballot less than a month ago so the information is brand new; like I said it is a renewal of a 3.1 levy that will not raise taxes but will continue these vital services; Jarvis: so you will be in touch with the administration when the timing is right for that; Cadwallader: I will and I should also

*mention that a private committee raising funds called The Committee IV Children will be reaching out publicly to generate information and fundraising for this levy because as an agency employee I cannot.*

**19-069**June 26, 2019 Charter Communications Letter ([Letter](#))

*Jarvis: we received a June 26<sup>th</sup> dated charter communications letter about the opening of a Spectrum store; I think that was just FYI only and no action.*

**19-070**Madison Township Fire Report - July 2019 ([MTFD July 2019](#))

*Jarvis: Madison township fire report; we received that as a communication; Chief Fasone I don't know whether you want to put a fine line on anything that was in there;*

*Fasone: Mayor Ebert, members of council and staff if you have any questions about any runs that we had; if you allow me though I'd like to give a tip of the hat to Rib Fest Committee; they did a great and wonderful job; it went over well as far as the fire department was concerned; it seemed like a great turn out; I was here and enjoyed it myself; then we were also privileged to have a vice presidential visit; I'd like to give a tip of the hat to your law enforcement agency for the fine job that they did; other than that I'll entertain any questions that you have; Coolman: I'd like to say thank you to you and your staff; the morning of the set up for the Rib Fest I want to say was probably the smoothest one that we've had to date; your staff was right on point; they were out there at Groveport Road stacking vendors early so thank you; Fasone: any time; Mayor: it went very smooth.*

**F. Public Comments - Five Minute Limit Per Person****G. RESOLUTIONS****RES-19-016**

Mayor

A Resolution In Support Of The 2020 Census And The Canal Winchester Complete Count Committee ([Resolution](#))*- Adoption*

***A motion was made by Jarvis to adopt resolution 19-016, seconded by Coolman. The motion carried with the following vote:***

***Yes 6 – Jarvis, Coolman, Amos, Bennett, Lynch, Walker***

**H. ORDINANCES*****Third Reading*****ORD-19-040**

Public Service

Sponsor: Bennett

An Ordinance To Waive Competitive Bidding For Water Tower Maintenance Services And To Authorize The Mayor And Finance Director To Enter Into A Multiple Year Agreement With Utility Service Co, Inc ([Ordinance, Exhibit A](#))

*- Adoption*

*Bennett: Mr. Peoples for the record the request to waive competitive bidding if you could just outline that;*

Peoples: this is the contractor we had in the previous ten year contract; they assumed the contract from Caldwell Tanks who was the original contract holder; the only other contract that we had or contractor that was available for these types of things did not come with very good recommendations; Hollins: and also you should know that this is just good planning on our utilities part; what it is, is we enter into a ten year contract with a level payment each year instead of painting three water tanks over that ten year period and hitting spikes in our expenditures; that's what we would have done competitive bidding on three different tanks during that ten year period this is the alternative; it just helps us even out our expenditures; our cash flow; things like that; that's the nature of the request; Bennett: thank you Mr. Peoples and Mr. Hollins.

**A motion was made by Bennett to adopt ordinance 19-040, seconded by Amos. The motion carried with the following vote:**

**Yes 6 – Bennett, Amos, Coolman, Jarvis, Lynch, Walker**

**ORD-19-041**

Development

Sponsor: Amos

An Ordinance Authorizing The Mayor And Clerk To Accept And Execute The Plat For Turning Stone, Phase 1 ([Ordinance](#))

- Adoption

**A motion was made by Amos to adopt ordinance 19-041, seconded by Coolman. The motion carried with the following vote:**

**Yes 6 – Amos, Coolman, Bennett, Jarvis, Lynch, Walker**

**Second Reading - NONE**

**First Reading**

**ORD-19-043**

Development

An Ordinance To Authorize The Mayor To Accept An Easement For Water Line From Hsing Hua Cheng And Declaring An Emergency ([Ordinance, Exhibit A](#))

- Request waiver of second and/or third reading and adoption

Amos: Mr. Haire if you'll just define why were declaring it an emergency; Haire: just the timing of acceptance we need to have the water line inspected prior to them being operational and so that would be the hope is that we accept the water line as a public line and we can get their business open; they were already delayed by the July recess; Amos: thank you Mr. Haire.

**A motion was made by Amos to suspend the rules requiring second and third reading on ordinance 19-043, seconded by Coolman. The motion carried with the following vote:**

**Yes 6 – Amos, Coolman, Bennett, Jarvis, Lynch, Walker**

**A motion was made by Amos to adopt ordinance 19-043, seconded by**

***Coolman. The motion carried with the following vote:***

***Yes 6 - Amos, Coolman, Bennett, Jarvis, Lynch, Walker***

**ORD-19-044**

*Development*

An Ordinance To Accept The Application Of Hsing Hua Cheng For The Annexation To The City Of Canal Winchester Of Certain Territory In Violet Township Containing 7.823+/- Acres And Being Located On Hill Road South Of Kings Crossing, To Amend The Zoning Map To Zone 8.668+/- Acres To Planned Industrial District (PRD), And To Approve The Development Standards Text For Such 8.668+/- Acres, And Declaring An Emergency ([Ordinance, Exhibits A B-1 B-2 C D](#))

*- Request waiver of second and/or third reading and adoption*

*Lynch: Mr. Haire for the record why we are declaring an emergency on this; Haire: again this is a final ordinance to accept an annexation; this has been around since March when we considered this at planning commission; so it's been around a very long time; we hope to get them operational for the financial needs of the city to start collecting income tax and generating revenue on this site we ask that you approve this as an emergency; Lynch: thank you very much.*

***A motion was made by Lynch to suspend the rules requiring second and third reading on ordinance 19-044, seconded by Coolman. The motion carried with the following vote:***

***Yes 6 –Lynch, Coolman, Amos, Bennett, Jarvis, Walker***

***A motion was made by Lynch to adopt ordinance 19-044, seconded by Coolman. The motion carried with the following vote:***

***Yes 6 - Lynch, Coolman, Amos, Bennett, Jarvis, Walker***

**ORD-19-045**

*Public Service*

An Ordinance To Authorize The Mayor To Provide Consent To The Director Of The Ohio Department Of Transportation Necessary For The Bridge Inspection Program Services ([Ordinance, Exhibit A](#))

*- First Reading Only*

*Finance*

An Ordinance To Amend The 2019 Appropriations Ordinance 18-040, Amendment #5 ([Ordinance](#))

*- Request waiver of second and/or third reading and adoption*

*Amos: Mrs. Jackson could you give an explanation as to why; Jackson: Mr. Peoples talked about getting Hanner's Field ready for the BrockStrong Labor Day baseball tournament so the funds are in there for that as well as the thoroughfare plan; we want to get moving on that as quickly as possible; Amos: thank you Mrs. Jackson.*

***A motion was made by Coolman to suspend the rules requiring second and third reading on ordinance 19-046, seconded by Walker. The motion carried with the following vote:***

***Yes 6 – Coolman, Walker Amos, Bennett, Jarvis, Lynch***

***A motion was made by Coolman to adopt ordinance 19-046, seconded by Amos. The motion carried with the following vote:***

***Yes 6 - Coolman, Amos, Bennett, Jarvis, Lynch, Walker***

## **I. Reports**

### *Mayor's Report*

**19-076**

### **Mayor's Report**

*Mayor: thank you Mr. Jarvis; I have nothing to add to my written report that hasn't already been said tonight; but I'd be glad to answer any questions if you have any;*

*Jackson: if I could for just one second I wanted to point out in the June Mayor's Court report you'll find an additional page; not sure if any of you noticed that' but that was provided to me through Madison Township Police Department; I have not received anything for July; that's why it's not in your packet; but the hope is that we will continue to provide this report every month just like we provide our Mayor's Court report; so this is listing their activity within Canal Winchester that we would not see through Mayor's court; Amos: Mrs. Jackson correct me if I'm wrong since we don't see it in mayor's court we also don't see any finance coming our way; Jackson: we don't see any revenue; we will see an expense; Jarvis: but up until this was requested we had no visibility of it whatsoever other than what you might see on the street; Jackson: the only way that I would know would be again on the expense side; so anything that happens within Canal Winchester corporation limits even if it goes down to Franklin County it is our responsibility; we have someone that we contract with to prosecute those cases and he charges us for them; so the only way that I would see it is if I got his detailed bill; and we went through each case to figure out where each ticket was written and all of those kinds of things; so now at least we'll have a little bit more of a heads up; Jarvis: so to clarify what we are looking at approving are those things that went through the Canal Winchester Mayor's Court not the Madison Township; Lynch: getting back to this report Mrs. Jackson we are paying just to prosecute not necessarily the law enforcement writing the tickets correct; Jackson: well Madison Township is writing the tickets; they would be paid through their levy that the residents pay; Lynch: I know we pay them separate through property tax but we're not paying a separate fee; just to the prosecutor; Jackson: no.*

***A motion was made by Bennett to approve the mayor's court report for June and July 2019, seconded by Lynch. The motion carried with the following vote:***

***Yes 6 – Bennett, Lynch, Amos, Coolman, Jarvis, Walker***



[19-071](#)[June 2019 Mayor's Court Report](#)[19-072](#)[July 2019 Mayor's Court Report](#)

*Fairfield County Sheriff - Thank you Mr. Jarvis; I have June 2019 stats for you; I'll have the July stats on our next meeting on the 19<sup>th</sup>; total dispatch calls for June would be 493; pick up runs 762; multiple unit calls 284; reports taken 100; addendum to those reports would be 32; civil papers served 13; building checks 1737; vacation checks 125; traffic stops 132; traffic citations 43; warnings 116; I know you're looking at those numbers saying they don't add up; remember I told you previously if I have a traffic stop there could be several violations; so I could stop you and give you three violations and a ticket; or three violations and a warning or vice versa; felony arrests 3; misdemeanor arrests 15; warrant arrests 21; OVI arrests 3; charge packets sent for review 1; summons in lieu of arrest that would be like at Walmart; instead of taking you to jail I release you on a summons to mayor's court 10; misdemeanor charges filed 55; felony charges filed 9; total possible down time 86400; actual down time will be 50343; busy time is 58.26%; that's all I have; Jarvis: thank you very much.*

*Law Director - before anybody else jumps in Mrs. Jackson I wish you the best; better you than me; Jackson: thank you; Hollins: I do request an executive session at the end of the meeting; for purposes of a discussion of a quasi-judicial matter for personnel; specifically, an appointment of a public official or an employee and potential acquisition of real property; for those three reasons and unless you have any questions no further report.*

*Finance Director*

[19-075](#)[Finance Director's Report, June 2019  
Financial Statements](#)

*Jackson: thank you Mr. Jarvis; I do not have anything in addition to my written report and what was discussed at work session this evening*

*Public Service Director*

[19-073](#)[Public Service Project Updates,  
Construction Services Update](#)

*Peoples: thank you Mr. Jarvis; nothing to add as well.*

*Development Director*

[19-074](#)[Development Report](#)

*Haire: just one item I wanted to update on; OPUS; they've received their approvals and plan on getting construction on this site in mid-august; if you could hold the date; it looks like September 12<sup>th</sup> we're looking at a ground-breaking ceremony; an official ground-breaking ceremony; I'll send that out as soon as I have those details confirmed.*

**J. Council Reports**

*Work Session/Council - Monday, August 19, 2019 at 6:00 p.m.*

*Work Session/Council - TUESDAY, September 3, 2019 at 6:00 p.m.*

*Work Session/Council - Monday, September 16, 2019 at 6:00 p.m.*

*Committee of the Whole - Monday, September 30, 2019 at 6:00 p.m. (TENTATIVE)*

*Jarvis: I don't know that we have any subjects; we just had one here this past month; if something does come up in between now and then; we're talking about almost 60 days from now; it's likely that something could come up.*

*CW Human Services - Mr. Lynch: nothing to add at his time.*

*CWICC – Haire: we just had our quarterly meeting last week; we provided some updates on the status of the north point contract; next meeting will be at the end of October.*

*CWJRD - Mr. Bennett/Mrs. Amos: recently at one of our committee of the whole meetings we had And Wildman and another guest come in and talk about joint recreation's purposes, functionality; there structure versus ours; at our July meeting we actually had a discussion and have asked Mr. Wildman to help us maybe define a roadmap to the future for our joint rec; as part of that he'll be doing potentially some interviews with key stake holders from the city, school board, and also joint rec volunteers; there will also be a potential public participation element of that as well; a surveyor may be one open town hall meeting; so we're still working through the public participation aspect of that; you will see an email that will go out probably from Mr. Wildman to check in with anyone that would like to participate as well and offering any guidance on the future of the joint rec; Amos: our next meeting is August 18<sup>th</sup> here at town hall at 7:00 p.m.*

*Destination: Canal Winchester - Mr. Walker: next meeting is September 24<sup>th</sup> 2019 at 6:30 at the Interurban; and then I would like to say the 10<sup>th</sup> annual Blues and Ribs Fest went as well as to be expected; I'd like to thank all of the volunteers that work all year; and since we're on video thank all of you volunteers and appreciate everything that you've done; you work hard all year round; we appreciate all of your hard work; it's easy to be a critic and sit back on the sidelines and not get involved; I haven't heard anything; any criticism yet; if you have heard anything come out volunteer and help us; be a part of it; it was huge; 10<sup>th</sup> years and it's here to stay; so again thank you to all the volunteers; we appreciate everything they've done.*

**K. Old/New Business**

*Mayor: I just want to thank Amanda; publicly thank Amanda for everything she has done as clerk of council over the last two plus years; this was supposed to be a temporary job/position that lasted two plus years; so I appreciate her hard work; and believe me it has been hard work that she's put in on this in addition to her normal responsibilities as finance director; I can't say enough about her; that's it; Jarvis:*



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*Totally agree, that that saved the city some expense, relating to bringing somebody in right from the start; that sets a pretty high bar for anybody to follow; Walker: Once again, Ms. O'Donnell, thank you.*

**L. Adjourn to Executive Session (if necessary)**

*A motion was made by Bennett to adjourn to executive session, seconded by Lynch. The motion carried with the following vote:  
Yes 6 – Bennett, Lynch, Amos, Coolman, Jarvis, Walker*

**Adjourn @ 8:16pm**

**M.**

**Adjournment**

*A motion was made by Bennett to adjourn, seconded by Lynch. The motion carried with the following vote:  
Yes 6 – Bennett, Lynch, Amos, Coolman, Jarvis, Walker*

**Adjourn @ 9:32pm**

# Proclamation

**Whereas:** Childhood cancer is the leading cause of death by disease in children, and 1 in 285 children in the United States will be diagnosed by their 20<sup>th</sup> birthday. There are approximately 40,000 children on active treatment at any given time; and

**Whereas** the average age of diagnosis is 6 years old, compared to 66 years for adults' cancer diagnosis. On average there's been a 0.6 percent increase in incidence per year since the mid 1970's resulting in an overall incidence increase of 24 percent over the last 40 years; and

**Whereas,** two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life-threatening. Approximately one half of childhood cancer families rate the associated financial toxicity due to out-of-pocket expenses as considerable to severe; and

**Whereas,** in the last twenty years only four new drugs have been approved by the FDA to specifically treat childhood cancer; and

**Whereas,** hundreds of non-profit organizations at the local and national level including the Friends of Faith Pruden Foundation are helping children with cancer and their families cope through educational, emotional and financial support; and

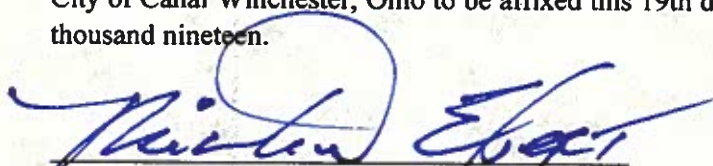
**Whereas,** researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer. This deadly disease affects too many children and more must be done to raise awareness and find a cure.

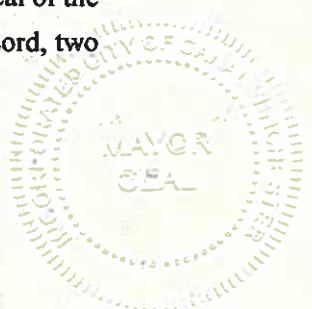
**Now, Therefore,** I, Michael L. Ebert, Mayor of the City of Canal Winchester proclaim the month of September 2019

## Childhood Cancer Awareness Month

And urge all of our residents to observe Childhood Cancer Awareness Month and support this cause that so deeply impacts families in every community across our country.

**In Witness Whereof,** I have hereunto set my hand and caused the Seal of the City of Canal Winchester, Ohio to be affixed this 19th day of August, in the year of our Lord, two thousand nineteen.

  
Michael L. Ebert, Mayor





## Violet Township Fire Department

Chief Michael J. Little  
8700 Refugee Road NW • Pickerington, OH 43147-9572

Phone: 614.837.4123  
Fax: 614.837.1975

*Your Friends For Life*

August 14, 2019



City of Canal Winchester  
Council Members & Administrative Staff  
36 South High Street  
Canal Winchester, Ohio 43110

Dear Council & Administrative Staff;

The Annual Violet Township Fire Department Open House is set for Sunday, October 13, 2019. Festivities will take place from 1:00 - 3:00 P.M. at:

Fire Station 591  
21 Lockville Road, Pickerington, Ohio

Activities include fire safety houses as well as equipment displays, tours of the facility, learning Bystander CPR, picture taking opportunities, virtual fire extinguishment and more! Sparky the Fire Dog will also make a guest appearance passing out children's fire helmets.

We expect to have a large crowd on hand as our past events have always been busy! Please consider this our personal invitation to each of you for this event. We think that you will have a great time and good fun!

In the interest of public safety,

Michael J. Little, Chief

## RESOLUTION NO. 19-017

### A RESOLUTION APPROVING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE FRANKLIN COUNTY TAX ABATEMENT AREAS WITHIN THE CITY OF CANAL WINCHESTER

WHEREAS, the City of Canal Winchester has the statutory authority to create or be a part of various zones that provide economic development incentives, which include Community Reinvestment Areas, Enterprise Zones, and Tax Increment Financing Districts; and

WHEREAS, upon their creation of such zones, the City Council may consider entering into agreements with private sector entities engaged in economic development which divert or abate tax revenues as an incentive to encourage particular economic development projects to occur; and

WHEREAS, in the creation of these zones, O.R.C. 5709.85 provides that a Tax Incentive Review Council (TIRC) shall be created for each of the zones as required to review these agreements between the City or County and the private sector entities to establish compliance to the terms of the agreements; and

WHEREAS, each TIRC is mandated to review and make formal recommendations as to the compliance of the terms of each agreement within its zone on an annual basis prior to September 1 for the preceding year that concluded on December 31; and

WHEREAS, the recommendations of each TIRC are required to be forwarded to the City Council within 60 days of making the recommendations and the Council is required to act upon those recommendations;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the Canal Winchester Tax Incentive Review Council for any zones located in Franklin County is required to review agreements as of December 31, 2018 has done so and has forwarded its recommendations to the City Council.

SECTION 2. The City Council has taken the recommendations under consideration within the 60-day time frame.

SECTION 3. The City Council accepts the recommendations of the TIRC to accept the report and continue the agreement for all the properties described below:

a. Canal Winchester Community Reinvestment Area #1

	<u>Parcel Number</u>	<u>Property Owner</u>
1.	184-000017	Gammel, David & Andrea S
2.	184-000045	4 East Waterloo, LLC
3.	184-000123	4 East Waterloo, LLC
4.	184-000136	Green Quarters, LLC
5.	184-000197	Waterloo High, LLC
6.	184-000229	25 N High, LLC
7.	184-000241	Makdrew Development Co, LLC
8.	184-000258	Lynch Investment Properties, LLC
9.	184-000321	Bob McDorman Real Estate, LLC
10.	184-000337	Gibbs, Thomas W & Vickie L
11.	184-000733	Lark Enterprise Inc
12.	184-000855	BrewDog Columbus, LLC
13.	184-001376	MGD Investments, LLC
14.	184-002270	TS Trim Industries Inc
15.	184-003240	Canal Winchester Holdings, LLC

b. Canal Winchester Community Reinvestment Area #2

	<u>Parcel Number</u>	<u>Property Owner</u>
1.	184-000426	Zealer, Carl C

c. Gender Road Public Improvement TIF – approve report and continue

SECTION 4. That this resolution shall take effect and be in force from and after its passage.

PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
Finance Director/Clerk of Council

PARCEL NUMBER	CURRENT OWNERS NAME	TERMS	TOTAL APPRAISED VALUE	TOTAL ABATED VALUE	FOREGONE TAX	TAX STATUS	ESTIMATED # OF JOBS	EFFECTIVE YEARS	BUILDING STATUS	INSPECTION DATE
184-000017	GRAMMEL DAVID & ANDREA S.	15 YRS / 100%	250,000	60,200	\$ 1,929.80	CURRENT	9	2004-2018 LAST YEAR	maintained	3/14/2019
184-000045	4 EAST WATERLOO LLC	10 YRS / 100%	200,000	43,000	\$ 1,378.43	CURRENT	4	2016-2025	maintained	3/14/2019
184-000123	4 EAST WATERLOO LLC	10 YRS / 100%	195,000	37,100	\$ 1,189.75	CURRENT	1	2016-2025	maintained	3/14/2019
184-000136	GREEN QUARTERS LLC	10 YRS / 100%	115,000	26,400	\$ 846.29	CURRENT	4	2009-2018 LAST YEAR	maintained	3/14/2019
184-000197	WATERLOO HIGH LLC	10 YRS / 100%	135,000	26,700	\$ 856.37	CURRENT	7	2016-2025	maintained	3/14/2019
184-000229	25 N HIGH LLC	10 YRS / 100%	182,000	98,900	\$ 3,170.84	No 2nd Half Payment Posted	3	2017-2026	maintained	3/14/2019
184-000241	MAKDREW DEVELOPMENT CO LTD	10 YRS / 100%	201,600	65,200	\$ 1,780.90	CURRENT	0	2010-2019	maintained	3/14/2019
184-000258	LYNCH INVESTMENT PROPERTIES LLC	10 YRS / 100%	92,300	32,500	\$ 1,042.29	CURRENT	2	2017-2026	maintained	3/14/2019
184-000321	BOB MCDORMAN REAL ESTATE LLC	15 YRS / 100%	2,057,900	2,005,800	\$ 64,298.88	CURRENT	0	2015-2029	maintained	3/14/2019
184-000337	GIBBS THOMAS W @(2)	10 YRS / 100%	130,000	28,900	\$ 926.89	CURRENT	3	2009-2018 LAST YEAR	maintained	3/14/2019
184-000733	LARK ENTERPRISES INC	10 YRS / 100%	380,000	147,200	\$ 4,718.71	CURRENT	28	2013-2022	maintained	3/14/2019
184-000855	BREWDOG COLUMBUS LLC	15 YRS / 100%	9,055,000	7,728,200	\$ 247,738.84	CURRENT	112	2017-2031	maintained	3/14/2019
184-001376	MGD INVESTMENTS LLC	10 YRS / 100%	110,200	31,900	\$ 871.72	CURRENT	5	2017-2026	maintained	3/14/2019
184-002270	TS TRIM INDUSTRIES INC	15 YRS / 100%	10,500,000	5,743,300	\$ 184,110.41	CURRENT	42	2014-2028	maintained	3/14/2019
184-003240	CANAL WINCHESTER HOLDINGS LLC	15 YRS / 100%	1335000	1,135,900	\$ 36,413.41	CURRENT	26	2017-2031	maintained	3/14/2019
		TOTALS:	24,939,000	17,211,200	\$ 551,273.53		246	3 EXPIRE		

## TAX YEAR 2018 STATUS REPORT FOR:

**CANAL WINCHESTER C.R.A. #2**[illegible]

## **Gender Road Tax Increment Finance District**

created by Ordinance 13-34 on November 5, 2013

amended by Ordinance 16-037 on December 19, 2016

and Ordinance 17-059 on December 18, 2017

30 year (non-school) TIF at 100%

Dollar Amount Deposited into the TIF in 2018:	\$252,550.00
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Cumulative amount deposited:	\$419,713.00
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Dollar Amount expensed from the TIF in 2018:	\$147,355.00
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Cumulative amount expended:	\$188,789.00
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Year first payment made	2015
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Year of first expenditure	2015
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Current TIF Agreements and Liabilities as of 2018		Outstanding
CW Holdings	\$380,589.50	\$ 300,589.50
Propero Canal Winchester	\$100,000.00	\$ -
City of Canal Winchester -Hanners Park	\$400,000.00	\$ 400,000.00
Central Ohio Transit Authority	\$ 949,513.00	\$ 949,513.00
Totals	\$1,830,102.50	\$ 1,650,102.50



## RESOLUTION NO. 19-018

### A RESOLUTION APPROVING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE FAIRFIELD COUNTY TAX ABATEMENT AREAS WITHIN THE CITY OF CANAL WINCHESTER

WHEREAS, the City of Canal Winchester has the statutory authority to create or be a part of various zones that provide economic development incentives, which include Community Reinvestment Areas, Enterprise Zones, and Tax Increment Financing Districts; and

WHEREAS, upon their creation of such zones, the City Council may consider entering into agreements with private sector entities engaged in economic development which divert or abate tax revenues as an incentive to encourage particular economic development projects to occur; and

WHEREAS, in the creation of these zones, O.R.C. 5709.85 provides that a Tax Incentive Review Council (TIRC) shall be created for each of the zones as required to review these agreements between the City or County and the private sector entities to establish compliance to the terms of the agreements; and

WHEREAS, each TIRC is mandated to review and make formal recommendations as to the compliance of the terms of each agreement within its zone on an annual basis prior to September 1 for the preceding year that concluded on December 31, 2018; and

WHEREAS, the recommendations of each TIRC are required to be forwarded to the City Council within 60 days of making the recommendations and the Council is required to act upon those recommendations;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

**SECTION 1.** That the Canal Winchester Tax Incentive Review Council for any zones located in Fairfield County required to review agreements as of December 31, 2018 has done so and has forwarded its recommendations to the City Council.

**SECTION 2.** The City Council has taken the recommendations under consideration within the 60-day time frame.

**SECTION 3.** The City Council accepts the recommendations of the TIRC to accept the report and continue the agreement for all the properties described below:

a. CRA No. 2—Fairfield County

	<u>Parcel Number</u>	<u>Property Owner</u>
1.	0420376360	NIFCO American Corporation
2.	0420376370	380 W Muskegon LLC
3.	0420376380	Wolfenbarker, George R & Caren L
4.	0420376230	8260 Industrial, LLC
5.	0420376240	Busey Road Office Venture 1 LLC
6.	0420376301	7895 Dove Parkway LLC
7.	0420376290	The Combs Group LLC
8.	0420376202	Tobin, Margaret E & Richard M
9.	0420376201	AK Athletic Equipment Inc
10.	0420376270	Prestifilippo Real Estate Ltd
11.	0420376203	Manifold Phalor Real Estate LLC
12.	0420376020	Patrick M Shea & Susan R Stedman
13.	0420376205	Lucky Bones Real Estate, LLC
14.	0420376010	Rommell Group, LLC
15.	0420376206	Sebastian/Bohls Family

b. Diley Road TIF – accept report and continue agreement

c. Greengate TIF – accept report and continue agreement

SECTION 4. That this resolution shall take effect and be in force from and after its passage.

PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
Finance Director/Clerk of Council

## TAX YEAR 2014 STATUS REPORT FOR:

RES-19-018  
Exhibit

CANAL WINCHESTER CRA #2

## 2018 Tax Incentive Review Council for Canal Winchester Community Reinvestment Area #2

PARCEL NUMBER	CURRENT OWNERS NAME	TERMS	PROP CLASS	TOTAL APPRAISED VALUE	ANNUAL TAX PAID	TOTAL ABATED VALUE	ESTIMATED TAX SAVINGS	TAX STATUS	CURRENT # OF EMPLOYEES	EFFECTIVE YEARS	DATE PROPERTY INSPECTED
0420376360	NIFCO AMERICA CORPORATION	100%/ 15 years	I	\$6,032,780.00	\$131,911.39	\$1,911,440.00	\$51,602.00	Current	622	2007-2021	3/14/2019
0420376370	380 W MUSKEGON LLC	100%/ 15 years	I	\$650,000.00	\$5,307.02	\$464,120.00	\$12,530.10	Current	80	2004-2018 LAST YEAR	3/14/2019
0420376380	WOLFENBARKER GEORGE R & CAREN L	100%/ 15 years	I	\$537,770.00	\$2,874.97	\$443,840.00	\$11,982.48	Current	21	2005-2019	3/14/2019
0420376230	8260 INDUSTRIAL, LLC	100%/ 15 years	I	\$922,460.00	\$2,263.60	\$845,660.00	\$22,830.28	Current	31	2005-2019	3/14/2019
0420376240	BUSEY ROAD OFFICE VENTURE 1 LLC	100%/ 15 years	I	\$568,160.00	\$3,844.21	\$458,000.00	\$12,364.28	Current	37	2006-2020	3/14/2019
0420376301	7895 DOVE PARKWAY LLC	100%/ 15 years	I	\$595,600.00	\$3,536.52	\$464,600.00	\$12,542.46	Current	30	2007-2021	3/14/2019
0420376290	COMBS GROUP THE LLC	100%/ 15 years	I	\$636,010.00	\$2,481.70	\$556,010.00	\$15,010.66	Current	21	2009-2023	3/14/2019
0420376202	TOBIN MARGARET E & RICHARD M	100%/ 15 years	I	\$888,070.00	\$5,232.70	\$715,260.00	\$19,309.98	Current	23	2009-2023	3/14/2019
0420376201	AK ATHLETIC EQUIPMENT INC	100%/ 15 years	I	\$1,461,340.00	\$5,480.03	\$1,280,110.00	\$34,558.16	Current	30	2010-2024	3/14/2019
0420376270	PRESTIFILIPPO REAL ESTATE LTD	100%/ 15 years	I	\$547,720.00	\$1,922.54	\$494,920.00	\$13,361.58	Current	14	2010-2024	3/14/2019
0420376203	MANIFOLD PHALOR REAL ESTATE LLC	100%/ 15 years	I	\$3,142,040.00	\$13,846.56	\$2,919,240.00	\$78,808.68	Current	65	2011-2025	3/14/2019
0420376020	PATRICK M SHEA & SUSAN R STEDMAN	100%/ 15 years	I	\$396,760.00	\$1,683.02	\$334,430.00	\$9,029.08	Current	15	2015-2029	3/14/2019
0420376205	LUCKY BONES REAL ESTATE LLC	100%/ 15 years	I	\$345,760.00	\$1,876.73	\$291,760.00	\$7,876.74	Current	24	2015-2029	3/14/2019
0420376010	ROMMEL GROUP LLC	100%/ 15 years	I	\$958,760.00	\$2,024.74	\$883,760.00	\$23,858.46	Current	22	2016 - 2030	3/14/2019
0420376206	SEBASTIAN/BOHLS FAMILY	100%/ 15 Years	I	\$1,291,010.00	\$6,835.92	\$1,104,710.00	\$29,823.04	Current	27	2017-2031	3/14/2019

\$18,974,240.00

\$184,285.73

\$13,167,860.00

\$355,487.98

1062

## **Diley Road Tax Increment Finance District**

created by Ordinance 73-07 on December 17, 2007

amended by Ordinance 45-08 on July 21, 2008

30 year (non-school) TIF at 100%

Dollar Amount Deposited into the TIF in 2018:	\$221,259.00
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Cumulative amount deposited:	\$1,361,694.51
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Dollar Amount expensed from the TIF in 2018:	\$3,835.00
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Cumulative amount expended:	\$19,635.00
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Year first payment made	2011
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Year of first expenditure	2011
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Current TIF Agreements and Liabilities as of 2018

Diley Ridge Medical Center Agreement	\$881,880.00
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**Greengate Public Improvments Tax Increment Finance District**

created by Ordinance 17-058 on November 20, 2017  
30 year (non-school) TIF at 100%

Dollar Amount Deposited into the TIF in 2018:	\$0.00
Cumulative amount deposited:	\$0.00

Dollar Amount expensed from the TIF in 2018:	\$0.00
Cumulative amount expended:	\$0.00

Year first payment made	0
Year of first expenditure	0

Current TIF Agreements and Liabilities as of 2018	
Shrimangeshi LLC Agreement - ORD 17-061	\$980,000.00

**RESOLUTION NO. 19-019**

**A RESOLUTION APPOINTING AUDRA DIORIO AS CLERK OF COUNCIL  
FOR THE CITY OF CANAL WINCHESTER**

WHEREAS, Article III, Section 4 of the Charter of the City of Canal Winchester provides that Council shall appoint, by a majority vote of its members, a person to serve as the Clerk of Council; and

WHEREAS, Council has determined that Audra Diorio is qualified for appointment to the position of Clerk of Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: The Council of the City of Canal Winchester hereby appoints Audra Diorio to the position of Clerk of Council.

Section 2: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
Finance Director/Clerk of Council

**ORDINANCE NO. 19-045**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO PROVIDE CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION NECESSARY FOR THE BRIDGE INSPECTION PROGRAM SERVICES**

WHEREAS, the City of Canal Winchester has identified the need for the Bridge Inspection Program Services in partnership with the Ohio Department of Transportation; and

WHEREAS, it is the recommendation of the Director of Public Service for the City of Canal Winchester to cooperate with the Ohio Department of Transportation to facilitate the project and gives consent to the Director of Transportation to complete the project; and

WHEREAS, the project is identified as:

**PID Number: 109334**

**Project Description: Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports, if needed.**

NOW, THEREFORE IT BE ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1: Being in the public interest, the City of Canal Winchester gives consent to the Director of Transportation to complete the above described project.

Section 2: The City shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the cost for the Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The City agrees to pay 100% of the cost of those features which are not included in Exhibit A and requested by the City. Those features may include, but are not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, and the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the City. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations.

Section 3: The City agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Right-of-way costs include eligible utility costs.

Section 4: The Mayor is hereby empowered on behalf of the City of Canal Winchester to enter into contracts with the Director of Transportation necessary to complete the above described project.

Section 5: That this ordinance shall take place and be in force from and after the earliest period allowed by law.

DATE PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
Finance Director/Clerk of Council



Approved Final Scope of Services Minutes Date: \_\_\_\_\_

## **GENERAL ENGINEERING SERVICES Central Office, Office of Structural Engineering Scope of Services**

The CONSULTANT may be required to perform the following services on a task order type basis for bridges designated by regulation or by agreement as City or Village inspection responsibility. Tasks which may include but are not limited to the following:

### **Task 1 - Scour Tasks**

- Task 1A - Scour Critical Assessment
- Task 1B - Scour Plan-of-Action
- Task 1C – Scour Analysis

### **Task 2 - Load Rating Tasks**

- Task 2A - Field Measurements for Load Rating
- Task 2B - Load Rating Calculations

### **Task 3 – SMS Structure Inventory and Review**

### **Task 4 – Inspection Procedures**

- Task 4A - Fracture Critical Plan
- Task 4B – Underwater Inspection Procedures

### **Task 5 - Bridge Inspection**

- Task 5A – Routine Bridge Inspection
- Task 5B – Fracture Critical Inspection
- Task 5C – Underwater Dive Inspection

Services shall be conducted in accordance with the following:

- ODOT Manual of Bridge Inspection, Latest Version
- ODOT SMS Bridge and Inventory Coding Guide, Latest Version
- ODOT Bridge Design Manual, Section 900), Latest Version
- Hydraulic Engineering Circulars 18, 20 and 23
- The Manual for Bridge Evaluation, Second Edition 2013 interim with revisions, AASHTO

Publication

- Bridge Inspector's Reference Manual, FHWA NHI Publication Number: 12-049,  
Publication Year: 2012
- Underwater Bridge Inspection, FHWA Publication Number: FHWA NHI-10-027,  
Publication Year: 2010

The CONSULTANT shall maintain a project cost accounting system that will segregate costs for individual task orders. The invoicing progress reports shall be detailed enough to show the breakdown of each assigned structure indicating the status of all subtasks. Completion of the individual subtasks is necessary for reimbursement credits.

The Department will be performing an annual Quality Assurance Review (QAR) for each selected consultant in accordance with Manual of Bridge Inspection to ensure accuracy and consistency of the inspection and documentation in SMS. This typically includes an office and field review.

The project will be divided into four (4) sub-projects (SP). A CONSULTANT will be selected for each sub-project. Municipalities opted into the previous inspection program will have the option to renew their legislation. Municipalities with population greater than 50,000 people are excluded from the program. The sub-projects have the following general geographic areas, category characteristics, and maximum contract values for the municipalities with municipal inspection responsibility obtained from SMS data as of March 2019.

**Project: SP01 - District (1, 2, &3), Total Structures = 435\***

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
<b>Single Span</b>	170	158	24	0	<b>352</b>
<b>Multi-Span</b>	21	18	29	15	<b>83</b>
<b>Culvert</b>	156	45	0	0	<b>201</b>
<b>Truss</b>	0	0	2	0	<b>2</b>
<b>Underwater Inspection</b>	0	0	0	0	<b>0</b>
<b>Fracture Critical Inspection</b>	0	4	0	0	<b>4</b>
<b>Load Rating**</b>	149	75	16	10	<b>250</b>

\* Level 1 bridge inspection structures

\*\* Tasked as budget allows w/priority for NBI bridges

**General Engineering Services Scope of Services**  
**Central Office, Office of Structural Engineering**  
**PID No. 109334**

**Project: SP02 - District (4, 11, &12), Total Structures = 270\***

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	86	86	25	0	197
Multi-Span	16	14	27	16	73
Culvert	82	36	0	0	118
Truss	1	1	5	0	7
Underwater Inspection	0	0	0	1	1
Fracture Critical Inspection	0	1	5	0	6
Load Rating**	67	35	16	5	123

\* Level 1 Bridge Inspection structures

\*\* Tasked as budget allows w/priority for NBI bridges

**Project: SP03 - District (5, 6, &10), Total Structures = 355\***

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	132	126	29	0	287
Multi-Span	7	8	35	18	68
Culvert	108	62	4	0	174
Truss	0	0	8	0	8
Underwater Inspection	0	0	1	1	2
Fracture Critical Inspection	0	0	8	1	9
Load Rating**	141	73	20	8	242

\* Level 1 bridge inspection structures

\*\* Tasked as budget allows w/priority for NBI bridges

**Project: SP04 - District (7, 8 &9), Total Structures = 426\***

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	150	125	29	0	304
Multi-Span	27	42	41	12	122
Culvert	135	93	30		231
Truss	0	1	5	1	7
Underwater Inspection	0	0	1	1	2
Fracture Critical Inspection	0	2	4	1	7
Load Rating	180	81	27	2	290

\* Level 1 bridge inspection structures

\*\* Tasked as budget allows w/priority for NBI bridges

Please note that the total number of structure types is estimated based on current SMS data query, and it may be adjusted when tasks are assigned in the future.

### **UNDERSTANDING**

1. Inspections shall be completed by firm's full-time staff prequalified with ODOT for Level 1 bridge inspection according to the Manual of Bridge Inspection.
2. Task order are intended for maintaining compliance with the FHWA 23-Mertics, Ohio Revised Code, and ODOT policy manuals. Deadlines set by the task orders shall be respected.
3. All reports and records compiled under this agreement shall become the property of the City or Village and shall be housed in the City or Village. ODOT shall receive an electronic copy of plans, analysis files, reports and other items mentioned below.
  - a) CONSULTANT shall perform all applicable updates to SMS with new or revised information for structure inventory and appraisal data, inspections, scour, fracture critical members, and load ratings.
  - b) CONSULTANT shall submit copies of all reports and calculations electronically, or in hard copies when requested, to the City or Village for inclusion in their bridge records.
  - c) This includes, as applicable, a printed copy of the inspection report, Scour Plan-of-Action, Fracture Critical Plan, load rating report, gusset plate analysis, inspection procedures, and field measurement notes, digital pictures as well as a reproducible digital data file (.pdf, .doc, .xml, and .xls formats).
4. Copies of all transmittal letters related to this Task Order shall be submitted to Central Office, Office of Structural Engineering.
  - a) When required, CONSULTANTS shall locate the original construction plans, as-built, and shop drawings from archive locations specified by the municipality and upload them onto SMS.

**Services to be furnished by CONSULTANT may include:**

### **TASK 1 - SCOUR TASKS**

**Task 1A – Scour Critical Susceptibility NBIS Item 113)** - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection. Deliverables include field notes, a completed Scour Critical Assessment Checklist as per Appendix I of the 2014 Manual of Bridge Inspection, and any other reference material needed for the bridge

owner to properly maintain their bridge files. Channel photos or cross sections maybe tasked under this item if assigned.

**Task 1B - Scour Plan-of-Action** - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection Appendix H for the scope of this task. Deliverables include a completed Scour Plan-of-Action, field notes, calculations, and any other reference material needed by bridge owner to maintain bridge files.

## **TASK 2 – LOAD RATING TASKS**

**Task 2A - Field Measurements for Load Rating** - Should no plans exist or if additional information is required, each main member shall be field measured for load rating. The condition of the member should be noted on the field documentation. All measurements shall be included in the load rating report.

**Task 2B - Load Rating Calculations** – A bridge carrying vehicular traffic shall be rated to determine the safe load carrying capacity. The CONSULTANT shall review existing bridge plans and inspection reports and other inspection information such as photographs and estimates of section loss for bridge members and connections. The analysis for existing structures shall be performed for AASHTO HS20-44 [MS 18] (truck, lane, & military) loading for both inventory and operating levels, and for the four Ohio Legal Loads including the special hauling vehicles (2F1, 3F1, 4F1, and 5C1, SU4, SU5, SU6, SU7, EV2, and EV3) at operating level. The CONSULTANT shall try to complete the load rating analysis utilizing BrR (Virtis) at first. Hand-calculations or Spreadsheets if BrR is not applicable. The BrR analysis file, other load rating files, and BR100 shall be included with the submittal to OSE.

The inventory and operating ratings shall be coded as per the most recent version of the ODOT Bridge Inventory Coding Guide. Update SMS Inventory with the load rating results and upload BR100 pdf file.

The electronic deliverable shall include if applicable an Excel spreadsheet or other files used for analysis for each bridge which shall include the member areas, member capacities both with and without section loss, influence lines (can be the ordinates or graph of the lines), dead loads and dead load stresses in members, live loads and live load stresses in members for all truck loadings and the load ratings of the members. Truck loadings to be used for the ratings are specified in BDM Section 900.

The Load Rating Report shall be prepared by a registered or non-registered engineer and it shall be checked, signed, sealed and dated by an Ohio Registered Professional Engineer.

The Load Rating Report shall explain the method used to calculate the load rating of each bridge.

AASHTO Load Factor Rating (LFR) shall be utilized for all bridges not designed by Load and Resistance Factor Design. AASHTO Load and Resistance Factor Rating (LRFR) shall be utilized for all structures designed for HL93 loading starting October 2010.

Load Rating Report Submittal to the City or Village shall include:

- a. Two (2) printed copies and one electronic pdf copy of the Load Rating Report for each bridge.
- b. Final summary of inventory and operating ratings for each member and the overall ratings of the structure shall be presented for each live load truck. An acceptable format is ODOT form BR-100.
- c. Analysis program input files. Both input and output files shall be submitted when programs other than BrR or spreadsheets are used.
- d. All calculations related to the load rating.
- e. If applicable, the weight limits posting recommendations including a copy of the standard posting sign; such as R12-1 (24" x 30"), R12-H5 (30" x 48"), and R12-H7 (30" x 30").

### **TASK 3 – SMS STRUCTURE INVENTORY AND REVIEW**

The scope of this task includes a limited review of the structure inventory data in the ODOT SMS. In general, the CONSULTANT shall review specific existing ODOT bridge inventory records (as provided by the City and approved by ODOT) of the designated bridge. The CONSULTANT may download the inventory report, which contains inventory data for each bridge on file with ODOT from the ODOT website. The CONSULTANT shall verify this data and determine if the ODOT SMS structure file information needs changing. If no changes are necessary, then no SMS inventory needs to be filled out. If changes are necessary, the scope of this task shall also include completing and filing inventory updates (and supplements, as needed) in SMS. The CONSULTANT shall refer to the ODOT Office of Structural Engineering Inventory and Coding Guide of SMS for inventory coding details.

### **TASK 4 – INSPECTION PROCEDURES**

**Task 4A – Fracture Critical Plan** – A Fracture Critical Member Plan and inspection procedure shall be developed and updated. For more details, refer to Chapter 4: Inspection Types in the Manual of Bridge Inspection. It shall include:

1. Sketches of the superstructure with locations of all fatigue and fracture prone details identified.
  - a. Use framing plan or schematic with detail locations labeled and a legend explaining each labeled item on the scheme.

- b. Use an elevation view for trusses.
  - c. Classify similar fatigue/fracture prone details as types (e.g. end of partial cover plate).
2. A table or location of important structural details indicating:
  - a. Type of detail (e.g. end of partial cover plate, short web gap, etc.)
  - b. Location of each occurrence of detail
  - c. AASHTO Fatigue Category of detail
  - d. Identify retrofits previously installed
3. Risk Factors Influencing the inspector access.

Photos and sketches shall be properly referenced. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

**Task 4B – Underwater Inspection Procedures** – An underwater inspection procedure shall be developed. For more details, refer to Chapter 4: Underwater Inspections in the Manual of Bridge Inspection. Please note that ODOT has recently revised Appendix F of the inspection manual. The diving team shall fill out or update the new form and upload it on SMS prior to performing the actual dives. Please contact OSE for a copy of a blank form if not uploaded on SMS at the time.

## **TASK 5 – BRIDGE INSPECTION**

**Task 5A – Routine Bridge Inspection (SMS Input)** - Perform a routine field inspection of the structure to determine the general condition. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task. Section 1111 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) modified 23 U.S.C.144, requires Ohio to report bridge element level data for NBIS bridges on the National Highway System (NHS) to FHWA. A condition rating or element level inspection will be assigned. This task includes: Condition Rating Inspection for non-NBI structures, Condition Rating Inspection for NBI structures, and Element Level Inspection for NBI classified as NHS.

**Task 5B – Fracture Critical Inspection** - Perform a fracture critical field inspection of fracture critical items. The CONSULTANT shall update the FCM inspection procedure with current photos and descriptions. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

**Task 5C – Underwater Dive Inspection** – Perform Underwater/ In-Water inspection of substructure units according to the cycle shown in SMS. Emergency underwater inspection may arise for specific structures over the duration of the contract period. Work shall be done in accordance with the reference manuals and inspection procedure. Scour risk shall be evaluated after field and data collection.

**ORDINANCE NO. 19-047**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ACCEPT AND EXECUTE THE PLAT FOR  
CANAL COVE SECTION 6**

WHEREAS, pursuant to Section 1117.04 (f) is provided that Council shall be presented final plats for final approval of subdivisions; and

WHEREAS, a final plat for Canal Cove Section 6, has been presented to the Planning Commission with a recommendation to City Council for approval;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the Mayor and Clerk be and hereby are authorized to execute and accept the final plat of Canal Cove Section 6.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNCIL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
CLERK OF COUNCIL





To: Amanda Jackson, CMC, Clerk of Council

From: Andrew Moore, Planning and Zoning Administrator

Date: August 12, 2019

RE: Application FS-19-003

## RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **August 12, 2019**

**Motion** by Donahue, seconded by Serna, to recommend to City Council approval of FS-19-003; to consider a Final Subdivision Plat for Canal Cove Section 6; for property located at PID: 042-0384940 and PID: 042-0384900. Applicant Terry Andrews, Owner D.R. Horton – Indiana, LLC. Voting yes: Bill Christensen; Brad Richey; Mike Vasko; Kevin Serna; Mark Caulk; Joe Wildenthaler; Joe Donahue. **Motion Carried 7-0**

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Andrew Moore  
Planning and Zoning Administrator

CANAL COVE
SECTION 6

Situated in the State of Ohio, County of Fairfield, City of Canal Winchester, and in Section 29, Township 15, Range 20, Congress Lands, containing 8.441 acres of land, more or less, said 8.441 acres being a part of 13.201 acre tract of land conveyed to D.R. HORTON - INDIANA, LLC by deed of record in Official Record 1779, Page 2884, Recorder's Office, Fairfield County, Ohio..

The undersigned, D.R. HORTON - INDIANA, LLC, a Delaware limited liability company, by D.R. HORTON, INC. - MIDWEST, a California corporation, Sole Member, by JACK MAUTINO, Division President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "CANAL COVE SECTION 7", a subdivision containing Lots numbered 169 to 201, both inclusive, does hereby accept this plat of same, does voluntarily consent to the execution of said plat and dedicates to public use, as such, all of the Drives shown hereon and not heretofore dedicated. The pavement constructed within the Drives shown hereon will not be accepted for public use until such time as the construction of said pavement is complete and formally accepted as such by the City of Canal Winchester.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement" for the construction, operation and maintenance of all public and quasi public utilities above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Structures are not permitted within areas over which easements are hereby reserved. Landscaping, if installed within areas over which easements are hereby reserved, shall not interfere with the construction, operation and maintenance of utilities and service connections, and shall not interfere with storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams, fences or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, JACK MAUTINO, Division President of D.R. HORTON, INC. - MIDWEST, Sole Member of D.R. HORTON - INDIANA, LLC, has hereunto set his hand this \_\_\_ day of \_\_\_, 20\_\_.

Signed and Acknowledged In the presence of D.R. HORTON - INDIANA, LLC By D.R. HORTON, INC. - MIDWEST, Sole Member
By JACK MAUTINO, Division President

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared JACK MAUTINO, Division President of D.R. HORTON - MIDWEST, Sole Member of D.R. HORTON - INDIANA, LLC who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said D.R. HORTON - INDIANA, LLC, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this \_\_\_ day of \_\_\_, 20\_\_.

My commission expires \_\_\_ Notary Public, \_\_\_ State of Ohio

Approved this \_\_\_ day of \_\_\_, 201\_\_ Andrew Moore
Planning & Zoning Administrator,
City of Canal Winchester

Approved this \_\_\_ day of \_\_\_, 201\_\_ William L. Christensen
Chairman,
Planning & Zoning Commission,
City of Canal Winchester

Approved this \_\_\_ day of \_\_\_, 201\_\_ Andrew Gardner
City Engineer,
City of Canal Winchester

This \_\_\_ day of \_\_\_, 201\_\_, rights-of-way for all of the Drives herein dedicated to public use are hereby approved and accepted as such for the City of Canal Winchester, Ohio.

Michael Ebert
Mayor,
City of Canal Winchester

Amanda M. Jackson
Clerk of Council,
City of Canal Winchester

This plat shall not be transferred or recorded until all above required signatures are placed on this plat.

I hereby certify that the land described by this plat was transferred on \_\_\_, 20\_\_.

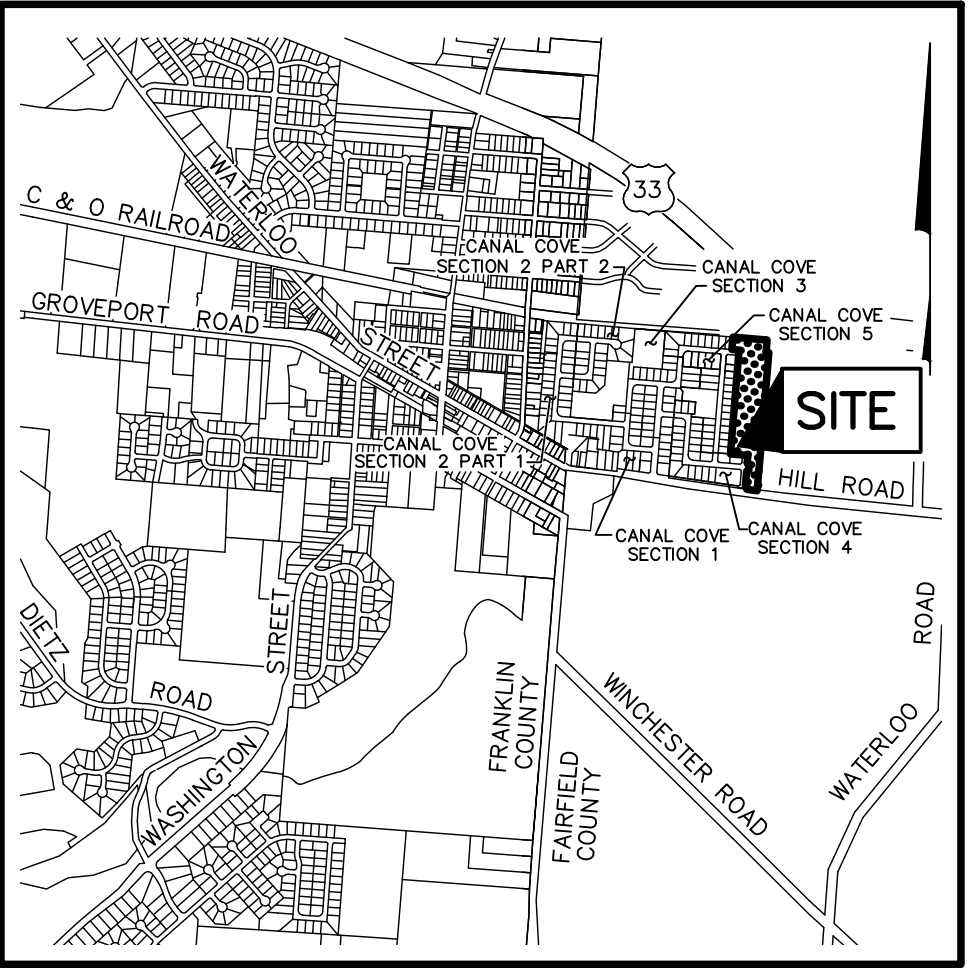
I hereby certify that this plat was filed for recording on \_\_\_, 201\_\_ and that it was recorded on \_\_\_, 20\_\_ in Plat Cabinet \_\_\_, Slot \_\_\_ plat records of Fairfield County, Ohio.

Fee \$ \_\_\_\_\_

Auditor, \_\_\_ Fairfield County, Ohio

Recorder, \_\_\_ Fairfield County, Ohio

WESTPORT HOMES, INC.
507 EXECUTIVE CAMPUS DRIVE SUITE 100
WESTERVILLE, OHIO 43082



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, as per NAD83. Control for the bearings was from coordinates of Monument Numbers 4442 and 7761, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Fairfield County, Ohio, Recorder.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are set and are thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are one-inch diameter, thirty-inch long, solid iron pins, are set to monument the points indicated and are set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY



We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

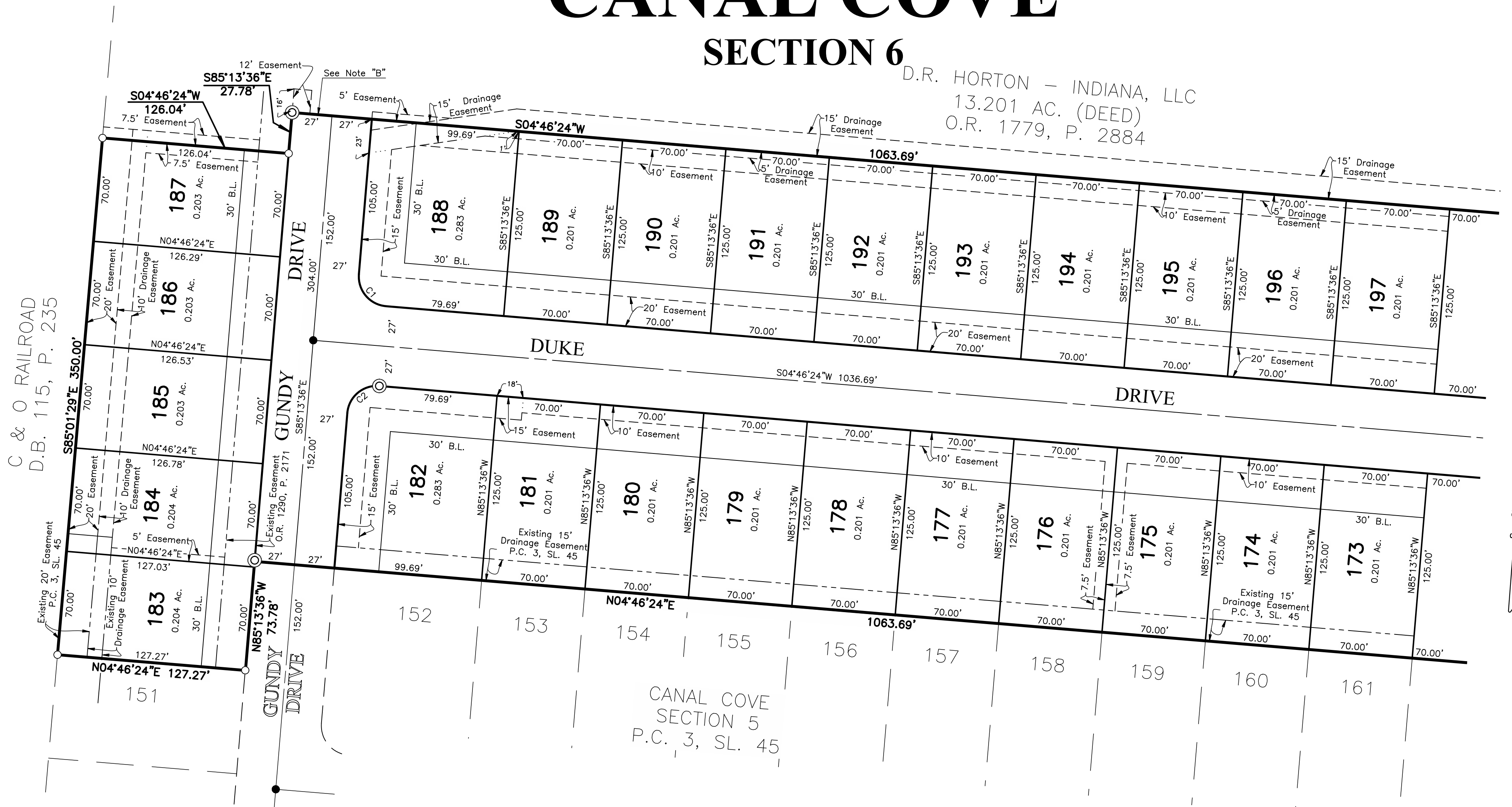
- O = Iron Pin (See Survey Data)
● = MAG Nail set
© = Permanent Marker (See Survey Data)

By \_\_\_ Professional Surveyor No. 7865 Date

# CANAL COVE

## SECTION 6

D.R. HORTON - INDIANA, LLC  
13.201 AC. (DEED)  
O.R. 1779, P. 2884



**NOTE "A" - MINIMUM SETBACKS:** The zoning classification for Canal Cove in effect at the time of platting of Canal Cove Section 6 is PRD and specifies the following dimensions for the minimum setbacks for each lot:

Front: 30 feet  
Side: 8 feet (one side); 20 feet (total)  
Rear: 30 feet

**NOTE "B":** No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or deed.

**NOTE "C":** At the time of platting, electric, telephone and cable service providers have not issued information required so that easement areas, in addition to those shown on this plat and deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could be conveniently shown on this plat. Existing recorded easement information desired about Canal Cove Section 6 or any part thereof can be acquired by a competent examination of the then current public record, including those in the Fairfield County Recorder's Office.

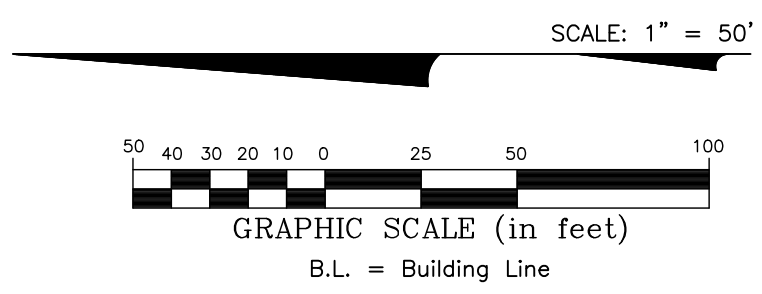
**NOTE "D" - ACREAGE BREAKDOWN:**

Total acreage	8.441 Ac.
Acreage in remaining lots	6.809 Ac.
Acreage in rights-of-way	1.632 Ac.

**NOTE "E" - ACREAGE BREAKDOWN:** Canal Cove Section 6 is out of the following Fairfield County Parcel Numbers:

0420384900	2.090 Ac.
0420384940	6.351 Ac.

**NOTE "F":** The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall have control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	20.00'	31.42'	N 49°46'24" E	28.28'
C2	90°00'00"	20.00'	31.42'	S 40°13'36" E	28.28'

A right-angled triangle is shown with a vertical side on the right and a horizontal side at the bottom. The right angle is at the bottom-right vertex. The top vertex has an angle labeled 3, and the bottom-left vertex has an angle labeled 4.



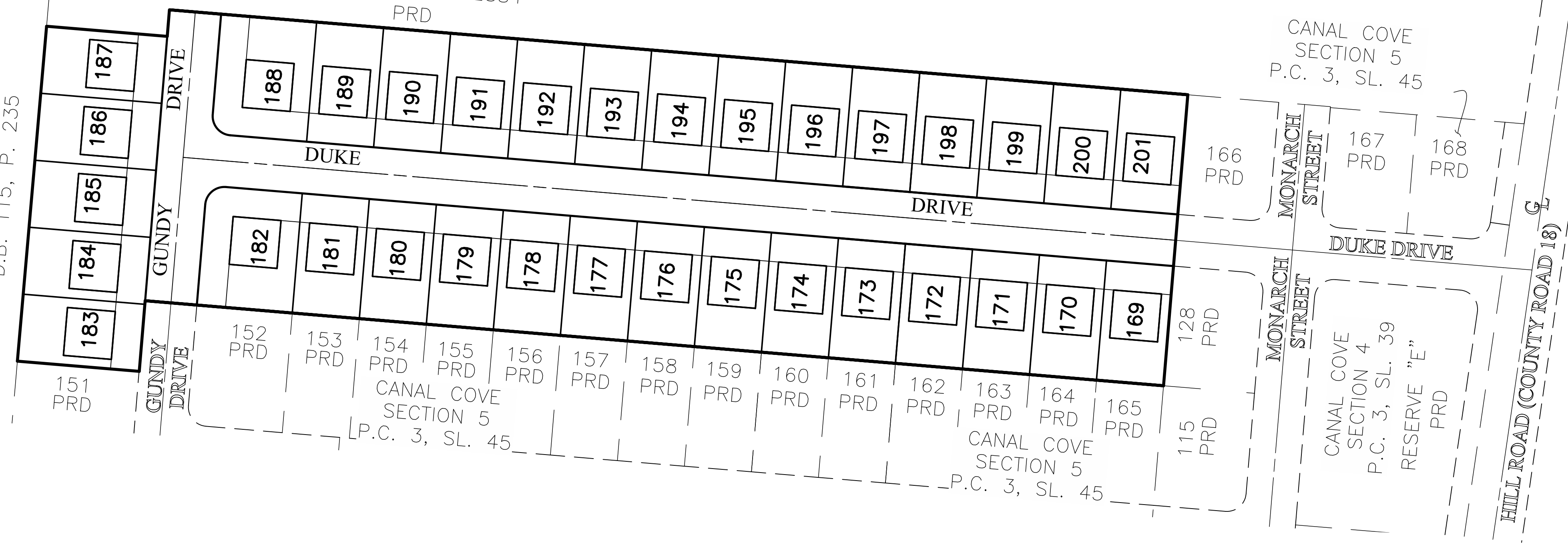


# CANAL COVE

## SECTION 6

D.R. HORTON — INDIANA, LLC  
13.201 AC. (DEED)  
O.R. 1779, P. 2884  
PRD

C & O RAILROAD  
D.B. 115, P. 235



ZONING

PRD = PLANNED RESIDENTIAL DISTRICT (CANAL WINCHESTER)

Note: The information provided on this Sheet 4 of 4 has been provided to comply with the subdivision regulation in effect at the time of platting (requiring adjoining property owners within 150 feet, their acreage and zoning designation) and is not intended to be used for any other purpose. Please see Sheets 1, 2 and 3 of this document for lot configurations, dimensions, easements, restrictions and monumentation.

**ORDINANCE NO. 19-048**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ACCEPT AND EXECUTE THE PLAT FOR  
CANAL COVE SECTION 7**

WHEREAS, pursuant to Section 1117.04 (f) is provided that Council shall be presented final plats for final approval of subdivisions; and

WHEREAS, a final plat for Canal Cove Section 7, has been presented to the Planning Commission with a recommendation to City Council for approval;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That the Mayor and Clerk be and hereby are authorized to execute and accept the final plat of Canal Cove Section 7.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNCIL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
CLERK OF COUNCIL



To: Amanda Jackson, CMC, Clerk of Council

From: Andrew Moore, Planning and Zoning Administrator

Date: August 12, 2019

RE: Application FS-19-004

## RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **August 12, 2019**

**Motion** by Donahue, seconded by Caulk, to recommend to City Council approval of FS-19-004; to consider a Final Subdivision Plat for Canal Cove Section 7; for property located at PID: 042-0384900. Applicant Terry Andrews, Owner D.R. Horton – Indiana, LLC. Voting yes: Bill Christensen; Brad Richey; Mike Vasko; Kevin Serna; Mark Caulk; Joe Wildenthaler; Joe Donahue.

**Motion Carried 7-0**

---

Andrew Moore  
Planning and Zoning Administrator

j:\20180963\DWG\04SHEETS\PLAT\20180963-VS-PLAT-SEC7.DWG plotted by YOUSSEF, SHERRI on 7/23/2019 7:27:17 AM last saved by SYOUSSEF on 7/23/2019 7:26:35 AM xrefs:

# CANAL COVE

## SECTION 7

Situated in the State of Ohio, County of Fairfield, City of Canal Winchester, and in Section 29, Township 15, Range 20, Congress Lands, containing 10.901 acres of land, more or less, said 10.901 acres being a part of that 13.201 acre tract of land conveyed to **D.R. HORTON - INDIANA, LLC** by deed of record in Official Record 1779, Page 2884, Recorder's Office, Fairfield County, Ohio.

The undersigned, **D.R. HORTON - INDIANA, LLC**, a Delaware limited liability company, by **D.R. HORTON, INC. - MIDWEST**, a California corporation, Sole Member, by **JACK MAUTINO**, Division President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "**CANAL COVE SECTION 7**", a subdivision containing Lots numbered 202 to 238, both inclusive, does hereby accept this plat of same, does voluntarily consent to the execution of said plat and dedicates to public use, as such, all of Ben Street, Gundy Drive, Lester Drive, Hill Road, and Monarch Street shown hereon and not heretofore dedicated. The pavement constructed within the Drives, Road and Streets shown hereon will not be accepted for public use until such time as the construction of said pavement is complete and formally accepted as such by the City of Canal Winchester.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement" for the construction, operation and maintenance of all public and quasi public utilities above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Structures are not permitted within areas over which easements are hereby reserved. Landscaping, if installed within areas over which easements are hereby reserved, shall not interfere with the construction, operation and maintenance of utilities and service connections, and shall not interfere with storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams, fences or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat.

In Witness Whereof, **JACK MAUTINO**, Division President of **D.R. HORTON, INC. - MIDWEST**, Sole Member of **D.R. HORTON - INDIANA, LLC**, has hereunto set his hand this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Signed and Acknowledged  
In the presence of

**D.R. HORTON - INDIANA, LLC**  
By **D.R. HORTON, INC. - MIDWEST**,  
Sole Member

By \_\_\_\_\_  
**JACK MAUTINO**,  
Division President

STATE OF OHIO  
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **JACK MAUTINO**, Division President of **D.R. HORTON - MIDWEST**, Sole Member of **D.R. HORTON - INDIANA, LLC** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **D.R. HORTON - INDIANA, LLC**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this \_\_\_\_ day of \_\_\_\_, 20\_\_.

My commission expires \_\_\_\_\_  
Notary Public, \_\_\_\_\_ State of Ohio

Approved this \_\_\_\_ day of \_\_\_\_, 201\_\_  
\_\_\_\_\_  
Andrew Moore  
Planning & Zoning Administrator,  
City of Canal Winchester

Approved this \_\_\_\_ day of \_\_\_\_, 201\_\_  
\_\_\_\_\_  
William L. Christensen  
Chairman,  
Planning & Zoning Commission,  
City of Canal Winchester

Approved this \_\_\_\_ day of \_\_\_\_, 201\_\_  
\_\_\_\_\_  
Andrew Gardner  
City Engineer,  
City of Canal Winchester

This \_\_\_\_ day of \_\_\_\_, 201\_\_, rights-of-way for all of the Drives, Road and Streets herein dedicated to public use are hereby approved and accepted as such for the City of Canal Winchester, Ohio.

\_\_\_\_\_  
Michael Ebert  
Mayor,  
City of Canal Winchester

\_\_\_\_\_  
Amanda M. Jackson  
Clerk of Council,  
City of Canal Winchester

This plat shall not be transferred or recorded until all above required signatures are placed on this plat.

I hereby certify that the land described by this plat was transferred on \_\_\_\_\_, 20\_\_.

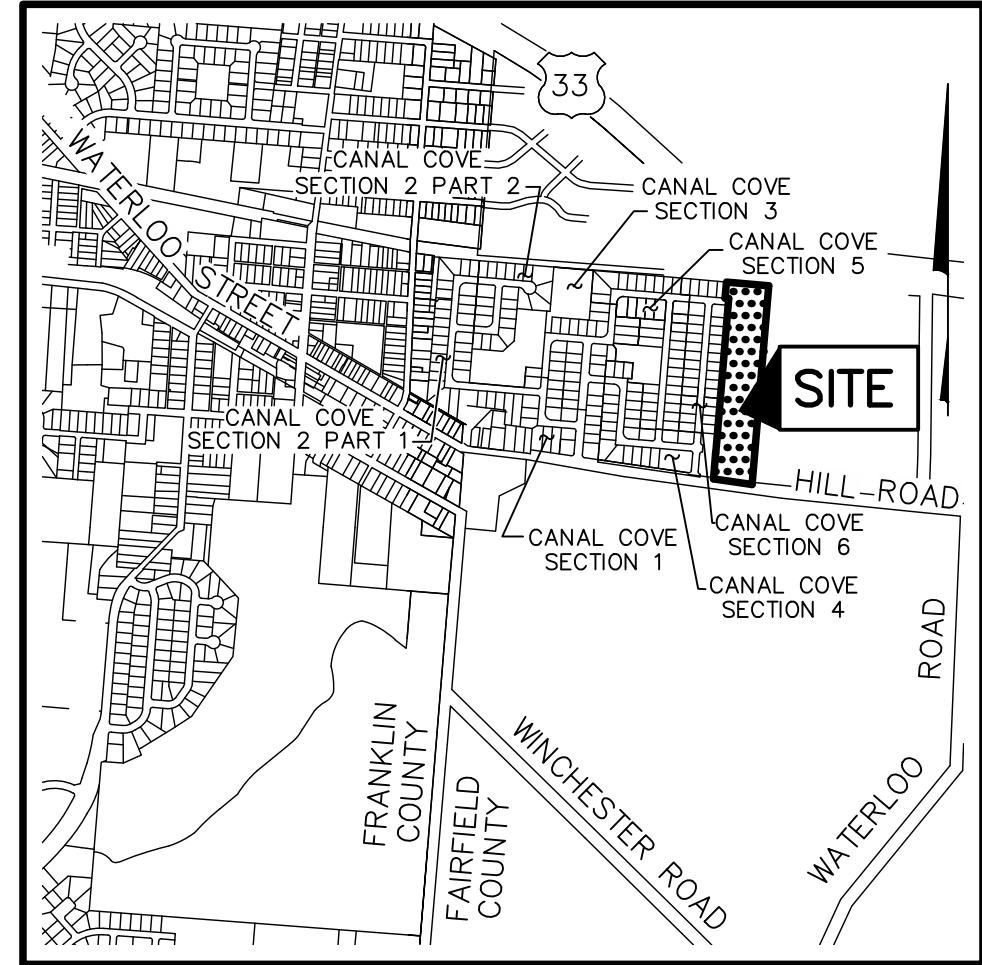
I hereby certify that this plat was filed for recording on \_\_\_\_\_, 201\_\_ and that it was recorded on \_\_\_\_\_, 20\_\_ in Plat Cabinet \_\_\_\_, Slot \_\_\_\_\_ plat records of Fairfield County, Ohio.

Fee \$ \_\_\_\_\_

Auditor, \_\_\_\_\_  
Fairfield County, Ohio

Recorder, \_\_\_\_\_  
Fairfield County, Ohio

WESTPORT HOMES, INC.  
507 EXECUTIVE CAMPUS DRIVE SUITE 100  
WESTERVILLE, OHIO 43082



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

### SURVEY DATA:

**BASIS OF BEARINGS:** The bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, as per NAD83. Control for the bearings was from coordinates of Monument Numbers 4442 and 7761, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

**SOURCE OF DATA:** The sources of recorded survey data referenced in the plan and text of this plat are the records of the Fairfield County, Ohio, Recorder.

**IRON PINS:** Iron pins, where indicated hereon, unless otherwise noted, are to be set and are thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top bearing the initials EMHT INC.

**PERMANENT MARKERS:** Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED  
BY



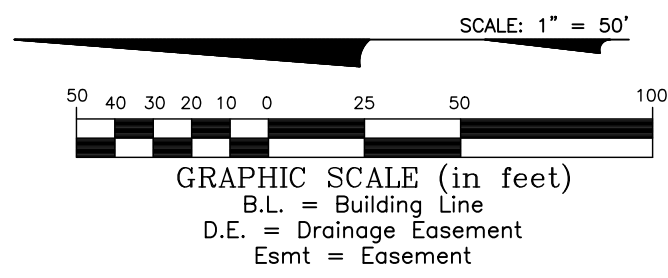
We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- ◎ = Permanent Marker (See Survey Data)

By \_\_\_\_\_  
Professional Surveyor No. 7865

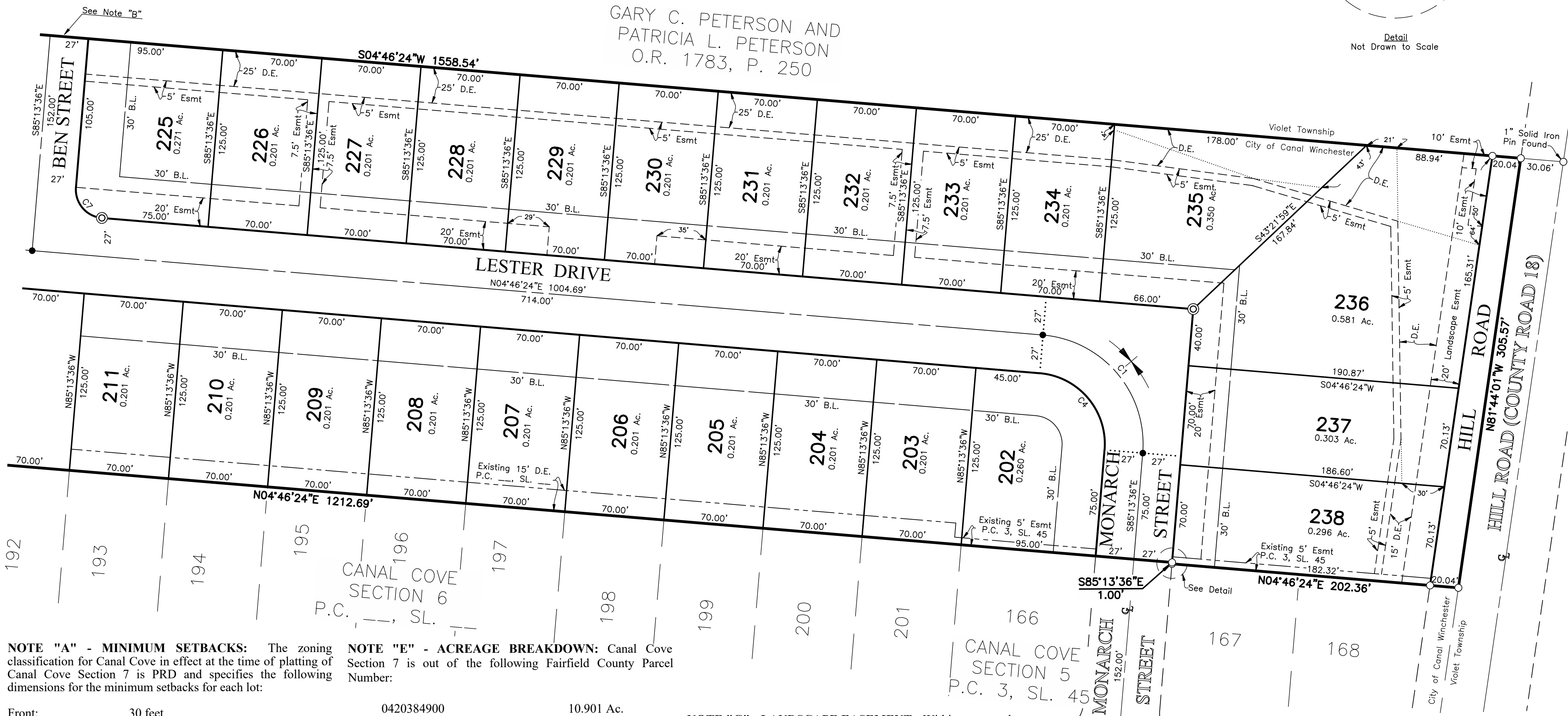
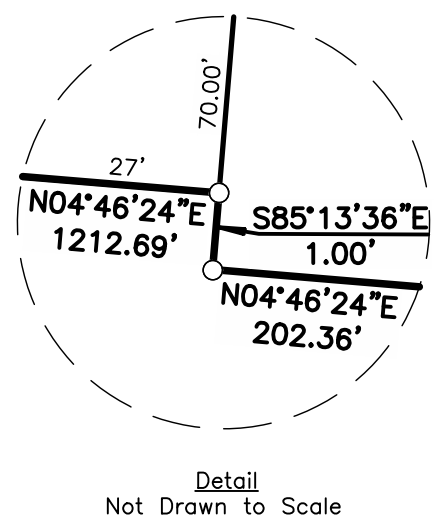
\_\_\_\_\_  
Date





# CANAL COVE

## SECTION 7



**NOTE "A" - MINIMUM SETBACKS:** The zoning classification for Canal Cove in effect at the time of platting of Canal Cove Section 7 is PRD and specifies the following dimensions for the minimum setbacks for each lot:

Front: 30 feet  
Side: 8 feet (one side); 20 feet (total)  
Rear: 30 feet

**NOTE "B":** No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or deed.

**NOTE "C":** At the time of platting, electric, telephone and cable service providers have not issued information required so that easement areas, in addition to those shown on this plat and deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could be conveniently shown on this plat. Existing recorded easement information desired about Canal Cove Section 7 or any part thereof can be acquired by a competent examination of the then current public record, including those in the Fairfield County Recorder's Office.

**NOTE "D" - ACREAGE BREAKDOWN:**

Total acreage	10.901 Ac.
Acreage in remaining lots	8.764 Ac.
Acreage in rights-of-way	2.137 Ac.

**NOTE "E" - ACREAGE BREAKDOWN:** Canal Cove Section 7 is out of the following Fairfield County Parcel Number:

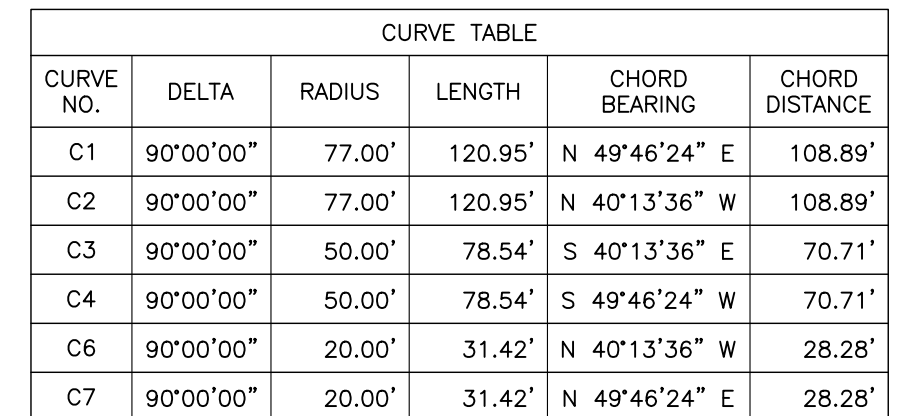
0420384900 10.901 Ac.

**NOTE "F":** The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall have control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

**NOTE "G" - LANDSCAPE EASEMENT:** Within, over, and under the area of land designated hereon as "Landscape Easement", a nonexclusive easement is hereby reserved for the purpose of installing/constructing, operating, using, and maintaining landscaping, landscaping features, and subdivision entrance features therein. Such landscaping, landscaping features, and subdivision entrance features shall be installed/constructed by the developer of Canal Cove subdivisions and operated, used, and maintained by said developer until such time as an association comprised of the owners of the fee simple titles to the lots in Canal Cove subdivisions is formed and funded. Thereafter, said association shall operate, use, and maintain said landscaping, landscaping features, and subdivision entrance features and said association shall have and is hereby granted a nonexclusive right to use said easement areas for said purpose. No developer-installed landscaping, landscaping features, and subdivision identification features shall be removed from said easement areas without approval of said developer or said developer's designee.

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	77.00'	120.95'	N 49°46'24" E	108.89'
C2	90°00'00"	77.00'	120.95'	N 40°13'36" W	108.89'
C3	90°00'00"	50.00'	78.54'	S 40°13'36" E	70.71'
C4	90°00'00"	50.00'	78.54'	S 49°46'24" W	70.71'
C6	90°00'00"	20.00'	31.42'	N 40°13'36" W	28.28'
C7	90°00'00"	20.00'	31.42'	N 49°46'24" E	28.28'

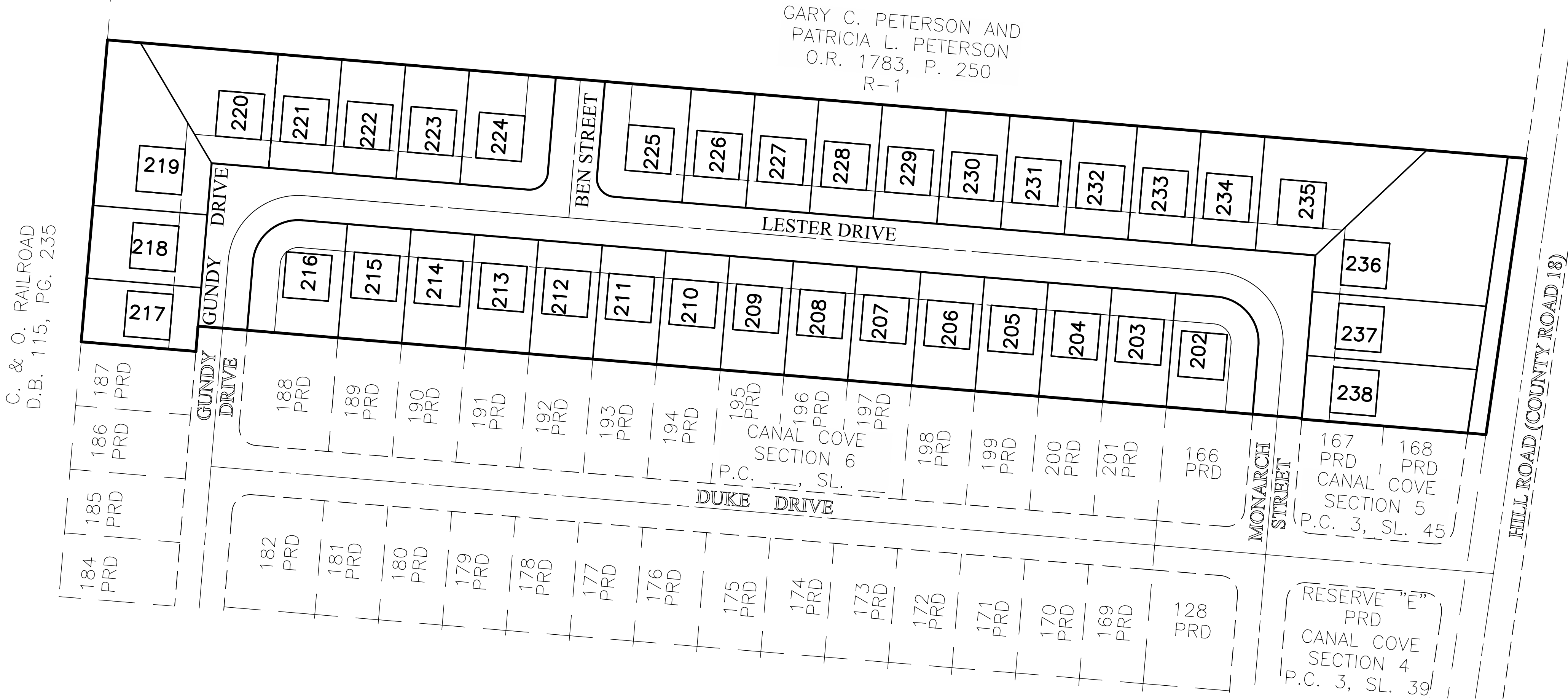
A diagram showing an angle. The vertex is labeled with the number 3. The arc of the angle is labeled with the number 4.



# CANAL COVE

## SECTION 7

NOT TO SCALE



### ZONING

PRD = PLANNED RESIDENTIAL DISTRICT (CANAL WINCHESTER)

R-1 = SINGLE FAMILY RESIDENTIAL (VIOLET TOWNSHIP)

Note: The information provided on this Sheet 4 of 4 has been provided to comply with the subdivision regulation in effect at the time of platting (requiring adjoining property owners within 150 feet, their acreage and zoning designation) and is not intended to be used for any other purpose. Please see Sheets 1, 2 and 3 of this document for lot configurations, dimensions, easements, restrictions and monumentation.

**ORDINANCE NO. 19-050**

**AN ORDINANCE TO ACCEPT HILL RD. RIGHT-OF-WAY**

WHEREAS, Westport Homes, the owner of property located on Hill Rd. identified as Parcel No. 0370240900, upon which Westport Homes reserved for road right-of-way; and,

WHEREAS, Westport Homes desires to dedicate the 0.210-acre parcel of land to the City of Canal Winchester for road right-of-way purposes; and,

WHEREAS, the Director of Public Service recommends acceptance of the dedication.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That Council does hereby accept and dedicate the 0.210-acre parcel of land described in Exhibit A and depicted in Exhibit B for road right-of-way purposes.

SECTION 2. That Council hereby authorizes and directs the Law Director to record an appropriate General Warranty Deed from Westport Homes, evidencing the acceptance of the road right-of-way dedication as authorized herein.

SECTION 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST \_\_\_\_\_

CLERK OF COUNCIL

\_\_\_\_\_  
MAYOR

DATE APPROVED \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

\_\_\_\_\_  
Clerk of Council/Finance Director

**0.210 ACRE**

Situated in the State of Ohio, County of Fairfield, Township of Violet, in Section 29, Township 15, Range 20, Congress Lands, being part of that 13.201 acre tract of land conveyed to D.R. Horton – Indiana, LLC by deed of record in Official Record 1779, Page 2884 (all references are to the records of the Recorder’s Office, Fairfield County, Ohio) and more particularly bounded and described as follows:

BEGINNING at an iron pin set at the southeasterly corner of the subdivision entitled “Canal Cove Section 5”, of record in Plat Cabinet 3, Slot 45, in the northerly right of way line of Hill Road (County Road 18);

Thence South  $81^{\circ} 44' 01''$  East, with said northerly right of way line, a distance of 305.57 feet to an iron pin set in the westerly line of that 20 acre tract conveyed as Tract 2 to Gary C. Peterson and Patricia L. Peterson by deed of record in Official Record 1783, Page 250;

Thence South  $04^{\circ} 46' 24''$  West, with said westerly line, a distance of 30.06 feet to a 1” solid iron pin found in the centerline of said Hill Road;

Thence North  $81^{\circ} 44' 01''$  West, with said centerline, a distance of 305.57 feet to a mag nail set at the southwesterly corner of said 13.201 acre tract;

Thence North  $04^{\circ} 46' 24''$  East, with the westerly line of said 13.201 acre tract, a distance of 30.06 feet to the POINT OF BEGINNING, containing 0.210 acre of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System as per NAD 83. Control for the bearings was from coordinates of monument numbers 4442 and 7761, established by the Franklin County Engineering Department, using global positioning procedures and equipment.

This description is based on documents of record, prior plats of survey and observed evidence located by an actual field survey performed in November 2016.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk  
Professional Surveyor No. 7865

Date



Evans, Mechwart, Hambleton & Tilton, Inc.  
Engineers • Surveyors • Planners • Scientists  
5500 New Albany Road, Columbus, OH 43054  
Phone: 614.775.4500 Toll Free: 888.775.3648

emht.com

# SURVEY OF ACREAGE PARCEL

SECTION 29, TOWNSHIP 15, RANGE 20

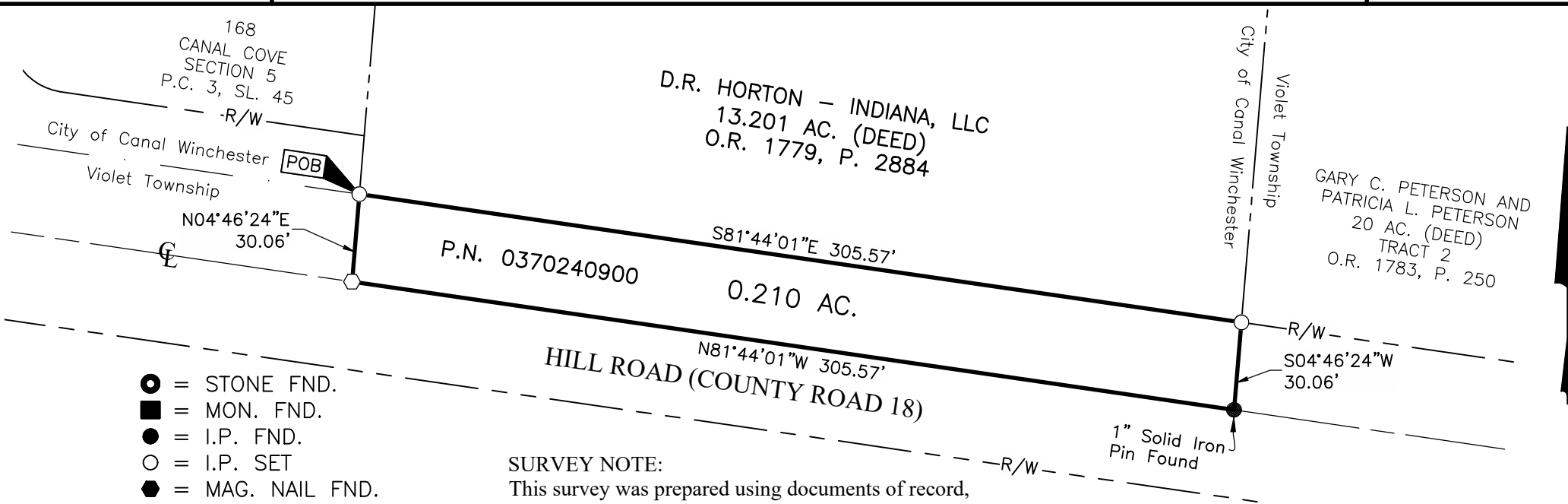
CONGRESS LANDS

TOWNSHIP OF VIOLET, COUNTY OF FAIRFIELD, STATE OF OHIO

Date: July 30, 2019

Scale: 1" = 50'

Job No: 2018-0963



- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- ◆ = MAG. NAIL FND.
- ◇ = MAG. NAIL SET
- ▲ = R.R. SPK. FND.
- △ = R.R. SPK. SET
- ◆ = P.K. NAIL FND.

I.P. Set are 13/16" I.D. iron pipes  
30" long with cap inscribed EMHT INC.



GRAPHIC SCALE (in feet)

## SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

## BASIS OF BEARINGS:

The bearings shown on this survey are based on the Ohio State Plane Coordinate System as per NAD83. Control for the bearings was from coordinates of Monument Numbers 4442 and 7761 established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

By \_\_\_\_\_  
Matthew A. Kirk  
Professional Surveyor No. 7865  
Date \_\_\_\_\_

# COUNCIL UPDATE

---

August 15, 2019

Mayors Report  
Michael Ebert, Mayor

## **Census Training:**

A mixed group of about twelve or so local business people, chamber, associations, VFW and the city were on hand for Census training. The training does not make us Census Takers but allows and gives us guidance on how to inform the public of what to expect and how they can fill out the Census report in the comfort of their home and at their leisure and never see a Census taker.

## **Employee Assistance Program:**

All city employees went through a session last week that helps them prepare for the future and the sudden and unexpected happenings in our lives. Many topics from wills to extended stay facilities were mentioned and discussed.



# COUNCIL UPDATE

August 15, 2019

Department of Public Service  
Matthew C. Peoples, Director

## **Project Status:**

**Gender Rd. Phase V:** EMH&T has evaluated the Gender Rd. Phase V concepts and we would like to proceed with a project for OPWC funding. We will be presenting information at the August 19<sup>th</sup> work session.

**Transportation Thoroughfare Plan:** We have started work with EMH&T and MORPC to update our Transportation Thoroughfare Plan. They are both working on proposals for their portion of the work and we are waiting on those to proceed.

**Storm Sewer Replacement:** We are still working with Franklin County Drainage Engineers to get costs under their general drainage contract and have us reimburse them. Once all of the details are worked out we will need to re-appropriate funds in order to pay for the work.

**Lithopolis Wastewater Agreement:** We are in the 7<sup>th</sup> year of the 10-year wastewater services agreement with the Village of Lithopolis and met with Lithopolis' Mayor Taylor as required in the agreement and there was interest on both sides to extend the contract early.

**Westchester Park Improvements:** We met with OHM to go over review comments on the park improvements including the selection of the individual playground components. We are getting quotes to award contracts separately, pending Council approval.

Additionally, the School's fitness station grant installing 20 structures is scheduled for mid-September.

**McGill Park:** ODNR has reviewed and approved the archaeological study and are working to finalize the LWCF grant process at the federal level.

**High St. RR X-ing:** EMH&T submitted the design of the crossing improvements to the railroad for review. Costs for this project are being shared between the city and Genesee & Wyoming Railroad.

**Gender Road Paving:** ODOT Urban Paving Program is scheduled to pave Gender Rd. from US Rt. 33 to Lithopolis Rd. in spring 2020. The program pays 80% of the estimated cost of \$700,000 with the city responsible for the remaining 20% and all ancillary items such as pavement repairs, guardrail, drainage and lighting.

**Gender Rd. Signal Synchronization Project:** EMH&T has submitted information on for the project to ODOT and the data collection portion is scheduled to start in soon.